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SIR HENRY VANE.

BOSTON.
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VOL. IV.

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1839.

LIVES

OF

ANTHONY WAYNE

AND

SIR HENRY VANE.

BOSTON:
HILLIARD, GRAY, AND CO.
LONDON:
RICHARD JAMES KENNETT.
1839.

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LIFE

OF

ANTHONY WAYNE;

BY

JOHN ARMSTRONG.

ANTHONY WAYNE.

Anthony Wayne, the elder, was a native of England, who, under an impulse of character or of fortune, quitted the land of his birth, and, about the year 1681, established himself in Ireland, as an agriculturist. In the contest for supremacy between William of Orange and the exiled James, which took place in 1690, he entered the army of the former, and at the battle of the Boyne and the siege of Limerick rendered the state some important services; an obligation, which, though amply acknowledged at the time, was soon forgotten by the receiver.

Displeased with this inattention of the government, and not satisfied with either the civil institutions or social habits of the country of his adoption, he at the advanced age of sixty-three years became an adventurer in a distant land. Arriving in Pennsylvania in 1722, and finding there a fruitful soil and temperate climate, a peaceful, industrious, and thriving population, and a government of mild and paternal character, he purchased and

occupied a farm in the county of Chester; where, on the 1st of January, 1745, his namesake and grandson, the subject of our present notice, was born.

Of the boyhood of the younger ANTHONY WAYNE we have no information, other than that afforded by a letter written by his uncle and preceptor, Gilbert Wayne, who had formed some unfavorable prognostics of his nephew's capacity for literature.

"I really suspect," says Gilbert, "that parental affection blinds you; and that you have mistaken your son's capacity. What he may be best qualified for, I know not; but one thing I am certain of, that he will never make a scholar. He may make a soldier; he has already distracted the brains of two thirds of the boys, under my direction, by rehearsals of battles and sieges, &c. They exhibit more the appearance of Indians and harlequins than of students; this one, decorated with a cap of many colors; and others, habited in coats as variegated as Joseph's of old; some, laid up with broken heads, and others with black eyes. During noon, in place of the usual games and amusements, he has the boys employed in throwing up redoubts, skirmishing, &c. I must be candid with you, brother Isaac; unless Anthony pays more attention to his books, I shall be under the painful necessity of dismissing him from the school."

Though this report was hasty, and far from being prophetic in its forebodings, it was not without its use, and, to the father of an only son, could not be indifferent. Anthony was accordingly brought to the bar, on the high charges of neglect of study, contumacy to his teacher, and ingratitude to his parents. On each of these points he was gravely and severely lectured; and, in a tone of the utmost decision, was left to choose either a prompt and regular discharge of scholastic duties, or an immediate and lasting condemnation to farm-labor.

Fortunately the wisdom of the boy, no less than his sense of filial obedience, left no room for hesitation. Sincerely afflicted at having given pain to a father, whom he equally loved and revered, he deeply regretted the thoughtlessness of his past conduct, and resolutely determined to avoid all similar cause of offence thereafter. With these new views and feelings, he returned to his uncle; gave up at once his military rehearsals, mud forts, and sham battles; applied himself diligently to his studies, and, at the end of eighteen months, not only satisfied his teacher that he possessed a capacity for scholarship, but even drew from him a confession, that, "having acquired all that his master could teach, he merited the means of higher, and more general instruction." The father coinciding in this opinion, Anthony was imme-

diately sent to the Philadelphia Academy, where he remained till his eighteenth year; when, having acquired a competent knowledge of mathematical and astronomical science, he returned to his native county and opened an office as a land-surveyor.

The peace of 1763, having about this time given to Great Britain a full and uncontested possession of Nova Scotia, it entered into her policy to colonize her newly acquired territory; and to this end associations of individuals, residing in the older provinces, were encouraged to seek grants of land from the crown, on conditions requiring only small investments of capital. A company of merchants and others in Pennsylvania, of whom Dr. Franklin was one, engaging in this speculation, an agent was required, who should visit the territory offered for settlement; inspect the soil, as regarded the purposes of agriculture; ascertain the means of commercial facility connected with it; and, under these several views, locate the tract to be granted. It will be thought highly creditable to Mr. Wayne, then in his twenty-first year, that, of the many applicants for this agency, he should have been chosen on the special recommendation of so discriminating a judge as Dr. Franklin; and, what may be considered as redounding still more to his credit, that, after a full trial of his qualifications, the additional

trust of superintending the settlements actually made, should have been continued in him, until, in 1767, the menacing character of the controversy between Great Britain and her colonies put an end to the enterprise.

In the year last mentioned, Mr. Wayne married the daughter of Benjamin Penrose, an eminent merchant in Philadelphia; after which he again returned to Chester County, resumed his business of surveying, and in the pauses of its exercise devoted himself to agriculture. In this last employment he found much to gratify his taste, and not a little to call forth his care and industry; but the time was now fast approaching, when occupations of this peaceful and unambitious character must give way to others of deeper and more commanding interest, involving the security of life, liberty, and property.

Great Britain, at the period to which we have brought our story (1774–5), had pursued her policy of taxing the colonies (in violation of their chartered rights) to a point, which left no hope of escape, but by resistance. Mr. Wayne was among the foremost of his compatriots to arrive at this conclusion; and, knowing well the value of preparation in war, he immediately abstracted himself from the political councils of the province, and gave his whole time and labor to the institution and instruction of military associations

throughout the county. In this career his success offers the best evidence of the zeal and discretion with which he pursued it; as, in the short space of six weeks, he was able to assemble and organize a volunteer corps, "having more the appearance of a veteran, than of a militia regiment." *

Indications of military character like these could not long escape public notice; and we accordingly find, that early in January, 1776, Congress conferred on Mr. Wayne the rank of Colonel, and the command of one of the four regiments, required from Pennsylvania, in reinforcement of the northern army. In the discharge of the duties growing out of this new appointment, the Colonel was alike diligent and successful; the regiment was speedily raised, equipped, and marched to Canada; where, about the last of June, it formed a part of Thompson's brigade, then stationed at the mouth of the river Sorel.

Major-General Sullivan, on whom the command of the northern army had now devolved, arriving at this post about the same time with Wayne, and being informed that the British commander-

* See *The Casket*, a work published in Philadelphia, containing a Biography of General Wayne founded on documentary and other evidence, (furnished by his son, Colonel Isaac Wayne,) to which we are indebted for nearly all the preceding facts.

in-chief had hazarded a detachment of six hundred light infantry as far westward as the village of Trois Rivières without any sustaining corps, immediately adopted a plan for striking at the detachment, recapturing the post, and establishing upon it a heavy battery, which, if not sufficient entirely to prevent the ascent of the British armed vessels and transports to Montreal, might for a time so embarrass the navigation, as greatly to retard their progress thither.* With these views, he on the 3d of July despatched Thompson with three regiments (St. Clair's, Wayne's, and Irvine's) to Nicollete, a village on the southern side of the St. Lawrence, and nearly opposite to that of Trois Rivières. Of this enterprise, the first steps were singularly fortunate; Nicollete was reached, the St. Lawrence crossed, and a landing effected, without exciting in the enemy the slightest alarm. The distance yet to be marched did not exceed four miles; a direct and unobstructed road led to the British camp, and two hours of darkness yet remained to cover the movement.

Under these favorable circumstances, and during a short halt made to refresh the troops, a report was circulated, "that a place called the White-house (still nearer to the assailants than Trois Rivières) was occupied by an advanced guard."

* St. Clair's *Narrative*, pp. 235–239.

Unfortunately the General was a tactician of the old school, believed firmly in the maxim, that "troops acting offensively should leave no hostile post in their rear," and accordingly, instead of carrying his attack directly on the enemy's main body, turned aside to surprise what, at most, could be but an out-lying picket. On reaching the reported site of this unimportant object, the General to his great mortification discovered, that the information on which he had acted was wholly unfounded, and that "no enemy either had occupied, or was destined to occupy that point."

If in this case General Thompson believed too much and too hastily, his next error lay in refusing his confidence where it would have been safely and usefully bestowed. The great evil of the last movement obviously arose from the loss of time it involved, which could now only be repaired by one of two means; a forced march, at the risk of greatly diminishing his strength by fatigue; or the discovery of a route, which should considerably shorten the distance to the point of attack. Such a one was fortunately found and clearly indicated, which, besides being two or three miles the shorter, offered the means of entire concealment, as "it led altogether through woods and enclosures." But, though the experiment was vigorously begun and pursued for half an hour, the General, becoming at once impatient

and suspicious, directed the return of the troops to the place of their landing. In executing this movement, the morning broke upon him, and the corps becoming visible to the enemy produced an alarm fatal to all the purposes of the expedition. Driven from one point to another, and always met and overmatched in force, his last resource lay in replunging into a morass of considerable extent, from which he had but just extricated himself; and in which he and a few others, who continued to adhere to him, were soon after captured by the enemy. Colonel St. Clair, the officer next in rank, being about the same time disabled by an injury received in one of his feet, the farther direction of the movement devolved on Wayne; who, though severely wounded, so conducted it, as to carry over in safety the mass of the brigade to the western side of the River Des Loups; whence it made its way along the northern bank of the St. Lawrence to the village of Berthier, and thence to the American camp at the mouth of the Sorel.

The error, of holding this last-named position as one of defence, was not discovered by General Sullivan, till late in June; when a heavy British column was seen marching in the direction of Montreal. The alarm produced by this fact, and by the obvious facility with which Carleton could now by a short march get possession of Chamblee

and St. John's, and thus completely cut off the retreat of the American army, removed all further doubt and hesitation. An order was accordingly issued, directing an evacuation of the post and an immediate retreat to Lake Champlain.*

To Wayne and the Pennsylvania regiments was assigned the duty of covering this movement; and so critical was it in point of time, that the boats latest in getting into motion were not beyond the reach of musket-shot, when the head of the enemy's column entered the fort. What remained of the retreat, after leaving St. John's, was made without molestation or alarm; and on the 17th of July, the army, and its hospital, baggage, and stores, were safely lodged at Ticonderoga, the point selected for future defence.

It was not till October, that the British general found himself in a condition to renew the campaign. After defeating a small naval armament on the lake commanded by Arnold, he advanced his army to Crown Point; whence he began a series of close and careful reconnoitrings, preliminary to the attack of the American fortress. The result of these precautions was, however, very different from what had been expected. The old fortifications were found to have been so repaired, and new ones so multiplied, as to forbid an assault;

* St. Clair's *Narrative*, pp. 240–242.

while, from the lateness of the season and condition of the weather, a siege and an investment became equally hopeless. Under these new impressions, the British general determined to suspend all offensive operations till the spring, and accordingly withdrew his army to Canada for the winter.

While these events took place in the north, others of a character still more interesting occurred in the south. Defeated on Long Island and driven from New York, Washington was now hastily retreating through the Jerseys; and with forces so depressed in spirit and diminished in number, as to render indispensable a large and prompt reinforcement. The moment that Gates was able to assure himself, that Carleton's retrograde movement was not a *ruse de guerre*, he hastened to meet this new exigence, by marching eight regiments to the aid of the Commander-in-chief.*

In selecting a person, to whom in his absence the important trust of defending Ticonderoga could best be confided, Gates at once designated

* General Thomas, who was sent to succeed General Wooster in the command of the northern army, died on the retreat from Quebec, June 2d, 1776. Sullivan, who was then sent to succeed him, was superseded in the command by Gates, who joined the retreating army at Crown Point and continued in command of it, until called to the south by the circumstances mentioned in the text.

Wayne, assigning to his command two thousand five hundred men; an arrangement acceptable to the troops, and so entirely approved by Congress, that the better to sustain it, this body soon after conferred on the Colonel the rank of Brigadier-General, and continued him in command of the post until the ensuing spring; when, at his own earnest and repeated solicitation, he was called to the main army. Arriving at head-quarters on the 15th of May, he was immediately placed at the head of a brigade, "which," as Washington remarked on the occasion, "could not fail under his direction to be soon and greatly distinguished." Nor was it long, before an opportunity offered of showing how well this complimentary prediction was verified.

It will be remembered, that the expulsion of Congress from Philadelphia, and the capture of that city, formed the leading objects of the British general in the campaign of 1777. To accomplish this project, two modes of proceeding suggested themselves; the one, a water approach by sea and the river Delaware; the other, a rapid movement by land across New Jersey and a part of Pennsylvania. Neither of these plans could however entirely escape objections; against the former were urged the hazards and uncertainty inseparable from a coasting voyage, and a river navigation little known and already much ob-

structed by art; against the latter, the more imminent perils that would attend a march of a hundred miles, over a route abounding in defiles and intersected by a river, not to be crossed but by means of boats or bridges, with a hostile population in front, and a vigilant, active, and efficient enemy in the rear. Under these views of the subject, it was decided, that "the land-march should not be attempted, unless, as a preliminary, Washington's means of disturbing it could be promptly and greatly diminished;" an effect not to be produced but by the issue of a battle, "fought on ground less advantageous to the American general, than that he at present occupied." To withdraw him, therefore, from his strong position at Middlebrook became a leading object with the British general, and an experiment not to be longer postponed. Two heavy columns were accordingly advanced in the month of June to Brunswic; whence they so manœuvred for several days in succession, as to indicate alternately a direct attack on the American camp, and a flank movement on Philadelphia. Finding however that these demonstrations altogether failed in forwarding the purpose for which they were employed, Howe, as a new expedient, adopted that of a counterfeit alarm for his own safety, and an apparently hurried and irregular retreat to Staten Island.

The design of the preceding movement forbidding its concealment, it soon and necessarily became known to Washington; who, not immediately perceiving its true character and object, was unwilling to lose any advantage to be derived from it, and accordingly made dispositions for pursuing and attacking the retreating enemy. To this end, the corps respectively commanded by Sullivan, Maxwell, Wayne, and Morgan, were directed to begin the pursuit; while, with the main army, the General should follow in person to sustain an attack, or cover a retreat. Of the corps above mentioned, Sullivan's failed to arrive in time, "from the distance it had to march," and that of Maxwell, "from the capture or desertion of an express, charged with the delivery of an order;" whence it followed, that what was intended to be done by the four corps, fell exclusively upon two of them, those of Wayne and Morgan; which, though on this occasion unable to do more, sufficiently illustrated their own high and chivalrous gallantry. In reporting the affair to Congress, the General says of them, "They displayed great bravery and good conduct; constantly advancing on an enemy far superior to themselves in number, and well secured by redoubts." *

* General Washington's Letter to Congress of the 22d of June, 1777. — Sparks's edition of *Washington's Writings*, Vol. IV. p. 470.

During these occurrences, Washington reached Quibbletown; whence he pushed forward Stirling's division to the neighborhood of Matuchin meetinghouse; two circumstances, which could not readily escape the notice of Howe, and which determined him to march rapidly, with a part of his force, on the new position taken by his adversary; while Cornwallis with another part should endeavor to seize the heights of Middlebrook. In attempting to execute this project, the movement was fortunately discovered by an American reconnoitring party; by whom Washington was promptly apprized of his danger, and thus enabled to regain and secure his former position.

Howe, having now lost the only chance his wary antagonist had given him of executing his favorite purpose, and hoping nothing from any new experiment made with similar views, hastened back to New York, to begin his preparations for approaching Philadelphia by a sea-voyage. It was not however till July, that, with all his motives for expedition, the fleet and army were in condition to leave the Hook, nor till the 24th of August, that they reached their destination at the Head of Elk. From this point, the latter began its march northward, on the 3d of September; and, meeting with little if any opposition, arrived early on the 11th at the southern bank of the Brandywine; a small stream, behind which Wash-

ington had made his dispositions for trying the fortunes of a battle.

By these arrangements the defence of Chad's Ford, the point most accessible to the enemy, was committed to Wayne, who on this occasion had a second brigade and a portion of Procter's artillery added to his command. On his left, and two miles distant from it, lay Armstrong's division; and on his right, those of Sullivan, Stirling, and Stephen, while that of Greene was held in reserve at a central point in the rear. A short *reconnoissance* enabled Howe to form his plan of attack. Leaving Knyphausen, with a considerable corps, at the ford to amuse Washington by demonstrations on his centre, he detached Cornwallis with the bulk of the army to the forks of the river, with orders there to gain the northern bank, and thence to pursue his march downward and take Washington's position in the rear, while Knyphausen, forcing the ford, should attack it in front.

Though on this occasion means for obtaining early and correct information of the enemy's movements had not been neglected, yet it so happened, that the American general continued to be unapprized of the strength and probable object of Cornwallis's column till two o'clock in the afternoon; when, finding a new disposition of his army necessary, he directed the three divisions,

forming the right of his line, to change their front and move rapidly in the direction of the expected attack. At half after four o'clock this began, and for a short time was well sustained; but, from causes never sufficiently explained, the right flank of the American line suddenly gave way, and was soon followed by the flight and disorder of its centre and left. The head of the pursuit was, however, soon and fortunately met by two regiments of the reserve, whose bearing was such as caused the assailants to halt, and thus effectually covered the retreating corps.

The firing on the left being the signal for Knyphausen to act, this officer began his movement accordingly; but, notwithstanding the weight and vigor of his attack, and the aid it received from a heavy covering battery, he was unable to drive Wayne from his position till near sunset; when, being now apprized of the defeat sustained in his rear, this officer thought it prudent to withdraw his division to the main army.*

On the 16th the contending generals again approached each other, with the mutual design of fighting another battle. On this, as on other occasions already mentioned, Wayne was assigned to the post of honor, that of leading the Ameri-

* See a full account of the Battle of the Brandywine in Sparks's edition of *Washington's Writings*, Vol. V. pp. 56–59, 456.

can attack; a service he performed with the gallantry now become habitual to himself and the division he commanded. The action took place near the Warren Tavern, was close and sharp as long as it lasted, and would in a few minutes have become general, but for a deluge of rain which separated the combatants. Finding on examination, that, from the defective construction of the tumbrels and cartouch-boxes of the American army, its whole stock of field ammunition had been rendered useless by the rain, an immediate retreat became necessary to Parker's Ferry, where alone a fresh supply of that indispensable article could be promptly obtained.

The position on the Schuylkill, to which the preceding accident had brought Washington, not being unfavorable to his present views of defending the several fords on that river, he took post on its eastern bank; and being informed, that Howe continued to linger near the position he occupied on the night of the 16th, he despatched Wayne to the neighborhood of Tredyfrin "to watch the movements of the enemy, and, when joined by Smallwood and the Maryland militia, to cut off their baggage and hospital train." *

In prosecution of this plan, Wayne immediately re-crossed the Schuylkill, and on the 20th placed

* Washington's Letter to Wayne, dated "Reading Furnace, six o'clock, P. M."

himself and his detachment three miles in Howe's rear, on ground little accessible to the enemy, and previously indicated to Smallwood, as that on which a junction of the two corps could be most promptly and securely formed. Night coming on and Smallwood not having arrived, Wayne proceeded to plant his pickets and sentinels, and throw forward patrols of horse, on the different roads leading to the camp. Under these circumstances, between nine and ten o'clock in the evening the General was informed by a friendly citizen, that a boy of the neighborhood who had, during the day, been captured and liberated by the enemy, had overheard one British soldier say to another, that "an attack on the American party would be made during the night." Though Wayne did not think it probable, that a night attack, if seriously meditated by the enemy, would have been a matter of camp-conversation during the day, or that the soldier announcing it could have been otherwise made acquainted with the design; still, believing that a little surplus precaution could do no harm and might do much good, he hastened to act on the information as credible in itself, and accordingly multiplied both his pickets and patrols, directed the troops to repose on their arms, and, as it was then raining, to put their cartouch-boxes under their coats.

Thus prepared to meet the attack or to withdraw from it, as circumstances might direct, he was at eleven o'clock apprized of the near approach of a British column; when, conjecturing from the direction of its march, that the attack was aimed at the right of his position, he immediately ordered Colonel Humpton, second in command, "to wheel the line and move off by a road leading to the White-horse Tavern; while with the first Pennsylvania regiment, the light infantry, and the horse, he should post himself on the right and cover the retreat." Under this disposition, the artillery and its *attirail* moved, and sustained neither injury nor loss; nor would any have befallen the infantry, had the order given to Humpton been promptly obeyed.* But from negligence or

* It was hardly to be expected from the details given in the text, that Wayne should have found an accuser in the person, whose disobedience had caused all the injury, public and private, suffered on the occasion; yet such was the fact. Seeking the means of exonerating himself from censure, Humpton preferred the following charge; "that, though Brigadier-General Wayne had timely notice of the enemy's intention to attack the troops under his command, on the night of the 20th of September last, yet, notwithstanding this intelligence, he neglected making a disposition, until it was too late either to annoy the enemy or to make a retreat, without the utmost danger and confusion." On this accusation Wayne was tried by a general court-martial; when, after a full and patient hearing of all the testimony adduced,

misapprehension, this officer failed to put the troops in motion, till thrice ordered to do so; and by this delay subjected the line to the loss of "one hundred and fifty gallant men." *

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the court decided *unanimously*, "that General Wayne was not guilty of the charge exhibited against him; but that, on the night of the 20th of September, he did every thing that could be expected from an active, brave, and vigilant officer, under the orders he then had; and do therefore *acquit him with the highest honor*." The preceding sentence being approved by the Commander-in-chief, Wayne was immediately reinstated in his command.

* Mr. Marshall, whose general accuracy as a historian is readily admitted, has been led into errors in relation to this affair. First, the location given to Wayne's encampment is not correct. It was not, as he says, "near the entrance of the road leading from Derby into that of Lancaster" (exactly the position of the Paoli Tavern), but two miles farther to the west. Secondly, the attack made by Grey was not a surprise. To have made it such, it was necessary to show, on the part of the General, an ignorance of the enemy's intention, or a want of preparation to meet or to avoid his attack. Yet it is in proof, that he was informed of the enemy's purpose between eight and nine o'clock in the evening, and that every part of the corps was under arms and in line, when the attack was made. Thirdly, Wayne's out-lying pickets, driven into the camp, were not the first to give intelligence of Grey's approach; he had information of the enemy's intention, as stated above. Fourthly, the American loss was not three hundred men, as asserted by the enemy and stated by Mr. Marshall. It did not exceed one hundred and fifty, as proved by the regimental reports submitted to the court-martial.

On the 21st of the month, Howe was again in motion; and, presenting himself in front of the new position taken by the American army on the eastern bank of the Schuylkill, led Washington to believe, that his provision depot at Reading was in danger, and could only be protected by a sudden movement on his part higher up the river. The British general having thus attained his purpose, which was but to draw his adversary from the defence of the lower fords, now crossed the Schuylkill, and, detaching the *élite* to take possession of Philadelphia, he on the 26th encamped his army at Germantown and its vicinity.

The results of the campaign thus far having fallen short of the expectations of Congress and the country, a belief began to prevail, that a higher degree of daring on the part of the American army would have saved the city, or at least have much retarded its fall; an opinion, not confined to the civil portion of the community, but extending to the army itself, and making necessary a new and speedy trial of strength with the enemy. Nor was it long before an occasion offered for trying the experiment.

Among other means employed for the defence of Philadelphia against an attack from the water, were two forts, the one erected on Mud Island near the western shore of the Delaware; the other at Billingsport on its eastern bank; which, with

hulks and chevaux-de-frise sunk in the river, so commanded and obstructed the navigation, as entirely prevented the ascent of the British fleet to the city. To remove impediments, so unfavorable to Howe's present convenience and future purposes, a draft of three regiments from his field force became necessary;* as well to assist in reducing the forts, as to cover a land transportation from Chester, until that object, the reduction of the forts, could be accomplished. Assured of this fact, and that four other regiments, composing a part of the *élite*, had been retained in the city for garrison duty, Washington conceived the project of attacking and carrying by surprise the British camp at Germantown.†

The position, given to the object of this enterprise, had been carefully reconnoitred. On the eastern side of the main street of Germantown lay the right wing of the British army, encamped in two parallel lines half a mile apart, and extending to a wood about one mile distant from the town. On the opposite or western side of the street, with a formation similar to the former, and extending to the Schuylkill, lay the left wing. Few if

* His intention was "to make Philadelphia a place of arms and centre of action; whence the war was to be carried on through the Bay of Chesapeake and the rivers of Virginia."— *British Annual Register for* 1777, p. 121.

† Marshall's *Life of Washington*, Vol. III. p. 177.

any artificial defences had been employed on this position, the security of which had been confidently committed to the courage, fidelity, and vigilance of strong picket-guards and out-posts, stationed on the different roads leading to the camp from the north and east.

Thus minutely informed with regard to the enemy's arrangements, Washington's plan of attack was soon formed, consisting, in its general outline, of a night march and double attack, consentaneously made, on both flanks of the enemy's right wing; while a demonstration, or attack, as circumstances made proper, should be directed on the western flank of his left wing.* With these orders and objects, the American army began its march from Skippack Creek, at seven o'clock in

* "The reason of our sending so many troops to attack the right was because it was supposed, that, if this wing could be forced, their army must be pushed into the Schuylkill, or be compelled to surrender." — *Sullivan's letter to President Weare of New Hampshire, dated October 25th, 1777.* The plan of attack, as stated by Sullivan and adopted in the text, differs from that given by Ramsay, Marshall, and others. According to these writers, "the plan of the enterprise contemplated an attack on both wings in front and rear at the same instant;" and to the attack of the left wing they assign the whole of Sullivan's column and Armstrong's division, producing a total want of coincidence between the plan and its execution, so far as it was executed by Sullivan and the corps he commanded.

the afternoon of the 3d of October, in two columns; that of the right, composed of the divisions of Sullivan and Wayne, with Conway's brigade, and assigned to the attack of the left flank of the enemy's right wing, took the Chesnut Hill road, followed by Stirling's division in reserve. The column of the left, composed of the divisions of Greene and Stephen, with McDougall's brigade and fourteen hundred Maryland and Jersey militia, destined to the attack of the right flank of the wing aforesaid, took the two eastern roads called the Limekiln and Old York roads; while Armstrong's division of Pennsylvania militia, directed against the western extremity of the British camp, pursued the Manitawny or Ridge Road.

On reaching the summit of Chestnut Hill, two regiments, forming the head of Sullivan's column, were detached at daybreak to carry the enemy's picket-guard, stationed at Mount Airy. The attack was brisk and well conducted, but, the picket being speedily reinforced by a battalion of light infantry and the fortieth regiment, the defence became obstinate; nor was the position carried, "till Sullivan brought up in succession Conway's brigade and his own division, to support the attack." Colonel Musgrave, the British commanding officer at this point, unwilling to fall back on the main army and unable longer to maintain a contest in the

field against a force so far superior to his own, promptly determined to throw himself and six companies of the fortieth into Chew's House, a large and strong stone building, whence he is said to have kept up "an incessant and galling fire" on the advancing American column; a circumstance which, whether true or false, was not permitted to impede the progress of Sullivan and Wayne;* who, pressing eagerly forward, were soon and seriously engaged, on different sides of the road, with detachments made by the enemy from Germantown. The conflicts which followed were numerous, close, and sharp; at some points decided by the bayonet, and in their issue honorable to the American arms; as the enemy, though availing himself of every house, hedge, and yard on the route, was driven back to the village as far as Church Lane. †

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* We have spoken thus doubtingly of the effect of Musgrave's fire from Chew's House, on the authority of letters written by the late Colonels Pickering and Howard. The former says, "I saw not one dead man until I had passed it" [Chew's House]. The latter declares that "the fourth Maryland regiment," of which he was the Major, "was fired upon in passing Chew's House from the upper windows, but received no injury."

† Colonel Howard's letter to Colonel Pickering, January 29th, 1827. The letters of Sullivan and Howard, and other particulars respecting the Battle of Germantown, may be seen in *Washington's Writings*, Vol. V.

The column of the left, commanded by Greene, though getting later into action than that of the right, from the *détour* necessarily made in reaching its point of attack, had now been engaged for some time, and with fortunes not widely dissimilar from those of the right. The enemy's posts on the Limekiln route had been forced, and the right flank of his camp gained, when an unexpected obstacle, a breastwork at Lucan's Mill, gave a new direction to the march; in prosecuting which, two of the leading regiments broke into his camp, made more than one hundred prisoners, and at length debouched on the Germantown road near the market-house, where they halted amidst his park of artillery.* Thus far the battle wore an aspect favorable to the American arms, and even gave promise of eventual success; but here Fortune changed sides, and, as she generally does, took part with the strongest.

The demonstration on the left or Schuylkill flank of the enemy, which, as already stated, made part of Washington's plan, succeeded for a time in confining the attention of that wing to the security of its own out-posts; but when the day broke and the small number of the assailing corps

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Appendix, p. 463. Colonel Pickering's letter to Colonel Howard is contained in the *North American Review*, Vol. XXIII. p. 425.

* Howard's letter to Pickering, January 29th, 1827.

could be correctly estimated, this effect ceased.* The detachments made in support of this flank of the encampment were recalled, and means promptly taken to reinforce the right wing; which it was now seen was the only object of real attack. Grey, who led this reinforcement, was not long in reaching the scene of action; and selecting for his first experiment the two regiments, which had halted at the market-house, he put that of Stewart to flight; and, killing or capturing every man belonging to the other, hastened to the position on which he expected to find Sullivan; but, on reaching this, he to his great mortification discovered, that his principal enemy had, by a rapid retreat, escaped the blow he meditated against him.

Of the causes and character of this movement, common to all the advanced corps,† we have a full and faithful exposition, given by Sullivan in the following words; "My division, with the North Carolina regiment commanded by Colonel Armstrong, and a part of Conway's brigade, having driven the enemy a mile and a half below Chew's House, and finding themselves unsupported

* General Sullivan states General Armstrong's division of militia at one thousand men.

† From the letter of Howard to Pickering, it would appear, that the fourth Maryland and Hazen's regiment were the part of Sullivan's division, which last retreated from the position they had taken at Germantown.

by any other troops, their cartridges all expended, the force of the enemy on the right collecting on the left to oppose them, being alarmed by the firing at Chew's House so far in their rear, and by the cry of a light-horseman on the right, that the enemy had got round us, and at the same time discovering some troops flying on the right, retired with as much precipitation as they had before advanced, against every effort of their officers to rally them. When the retreat took place, we had been engaged near three hours; which, with the march of the preceding night, rendered them almost unfit for fighting or retreating. We however made a safe retreat, though not a regular one. We brought off all our cannon and wounded."

While the incidents above mentioned were taking place in the front, others of a character still more extraordinary occurred in the rear. The annoyance real or imaginary given from Chew's House to the advancing troops raised a question, whether it would be safe to go forward, until this unexpected fortress and its garrison were reduced. Some of the persons consulted upon this occasion perceiving, that to withhold any considerable portion of the force destined to the attack in front could not fail to jeopard, if it did not defeat, the great object of the expedition, advised to a *flank movement*, and the *designation of a regiment*,

whose duty it should be to keep Musgrave shut up in his fortress, or, if he came out, to attack and destroy him.

This common-sense advice, though so obviously sound, was unfortunately made to yield to the supposed authority of a military maxim, not well understood, and, on this occasion, entirely misapplied.* A pause in the march of the reserve and other corps† now took place; when a battery of six-pounders was promptly established and a fire opened on the house, but without making any useful impression, on either the walls or the garrison.‡ An attempt to effect by bayonets and muskets, what six-pounders had failed to accom-

*The maxim alluded to is of old date, and, during feudal wars, had great authority and extension from the fact, that baronial castles formed the principal if not the only objects of attack and defence, the garrisons of which were not very dissimilar in point of strength. In later times the application of the rule is confined to garrisons capable of self-defence in the field, and therefore formidable to the rear of an invading army; but at no time would a few men, taking refuge in a dwelling-house, neither constructed nor prepared for defence, destitute of cannon and having only a small supply of ammunition, be permitted to stop the march or otherwise disturb the operations of an army of ten thousand men.

† Amounting, according to Ramsay (Vol. II. p. 198), to nearly one half of the army.

‡ Accounted for by Pickering from the false direction given to the guns. — *North American Review*, Vol. XXIII. p. 425.

plish, now followed; but being equally unsuccessful, a third expedient was found in negotiation; when the flag, which accompanied the summons of surrender, being fired upon and its bearer killed, this also was abandoned. As a dernier resort, investment was tried, but suddenly ended by the flight of the advanced corps and the near approach of Grant and Grey in pursuit of them. To cover this retreat, fell to the share of the hero of our story, who, seizing an eminence near White Marsh church, established upon it a battery, by a well directed fire from which he so checked the enemy's career, as to give it a retrograde direction; and thus enabled four hundred men, nearly sinking under fatigue, to escape the grasp of the enemy.* The Commander-in-chief, in his official report of this affair, says; "In justice to the right wing of the army (composed of the divisions of Sullivan and Wayne, and Conway's brigade), whose conduct I had an opportunity of observing, as they acted immediately under my eye, I have the greatest pleasure to inform you, that both the officers and men behaved with a degree of gallantry, which did them the highest honor."†

* Wayne's Letter to General Washington, October 4th, 1777.

† The defeat of this enterprise has been ascribed to different causes; to a too great extensiveness in the

The severities suffered by the American army during the ensuing winter, both in their causes and effects, must be sufficiently known to every reader of American history. On this head therefore it will be sufficient to state, that a large portion of the troops were altogether disqualified for professional duty, either offensive or defensive, by a want of clothing amounting nearly to nudity; while a deficiency of food menaced the whole of it with immediate dissolution.

To turn aside evils of such magnitude, Washington was at last compelled, in aid of the commissariat, to institute an extended military forage in the vicinity of his own camp. But though every precaution, suggested by prudence and

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plan, (*Wilkinson;*) to an error in selecting the right, instead of the left wing of the British position, as the point of attack, (*Johnson;*) to negligence on the part of Count Pulaski, (*Idem;*) to a dense fog, which long covered the scene of action, (*Sullivan* and *others;*) and lastly, to the halt made before Chew's House. Washington, who was no pretender to infallibility, and who, like other men really magnanimous, had no scruple to acknowledge his errors, has said enough to settle this question. When asked by Governor Reed, whether any misconduct of Greene had defeated the plan? he answered; "*No, it was our own fault;*" and he might, in the words of the great Turenne, on a similar occasion, have added; "The general, who has never committed an error, has fought but few battles."

justice, was employed in the execution of this service, it was soon discovered, that a repetition of the experiment would be dangerous, and ought, if possible, to be avoided. A new and more distant theatre was therefore selected, presenting at once the means of supplying our own wants, and of depriving the enemy of many articles, convenient or necessary for him, and which, without such intervention, he would at all times be able to obtain.

Such a theatre was found on the eastern side of the Delaware; abounding in cattle, horses, and forage, and extending from Bordentown to Salem; whither, about midwinter, Wayne was detached, with a part of his division and a few Jersey militia. It will be readily seen that the execution of a duty, so directly tending to excite the animosity of our own citizens (whose property it was necessary to abstract without any sufficient equivalent), and so obviously exposed, by local and other causes, to interruption and defeat by the enemy,* could not fail to present a case of uncommon difficulty and danger. Yet, so proper in themselves, and so adroitly and vigorously pursued, were the measures adopted by Wayne, that by the middle of March, and without sustaining any material loss, he was able to bring to the camp several hundred

* Separated from them only by the river Delaware.

head of fat cattle, a large number of horses fit for cavalry service, and a considerable supply of forage; services, which procured for himself, and the corps he commanded, much new encomium from Washington and the army.

The result of two campaigns having convinced Howe, that the issue of the war in America would not be such as the British government and nation had expected, when in 1775 they engaged in it; he, in the winter of 1777–8, sought and obtained permission to resign the command of the army, and waited only the arrival of Clinton, who had been appointed his successor, to return to England. About the 8th of June, this officer arrived in Philadelphia; and, finding there a peremptory order for immediately evacuating the city, he hastened to carry it into execution.* A measure of this kind, so destructive of the hopes and menacing to the interest of the loyal part of the population, could not be long concealed, and accordingly soon became known in the American camp.

Washington, who at this period continued to occupy his winter position at Valley Forge, lost no time in preparing to meet the coming event;

* This order grew out of the advanced state of our negotiations with France, and the apprehension that the Toulon fleet and army were destined to the Delaware and a coöperation with Washington against Philadelphia.

and having reason to believe, that the meditated movement would be a land march across New Jersey, he immediately despatched Maxwell's brigade and a corps of militia to Mount Holly, with orders to "break down the bridges, and otherwise obstruct the roads, on which the enemy should move." About the same time, he assembled a council of war, to whom was submitted an estimate of the relative force of the two armies, American and British; with sundry questions on the kind and degree of opposition to be given to the latter. On this reference the council decided, that no attack should be made on the enemy while crossing the Delaware, nor any general action hazarded with him, at any other stage of his progress.*

When, therefore, it was ascertained that Clinton had crossed the river early on the 18th, Washington immediately put his troops in motion for Coryell's Ferry; taking this upper route, as well to avoid a general action in conformity to the opinion of the council, as to keep himself prepared to preoccupy the mountain passes, leading to the posts in the Highlands, should the seizure of these make any part of Clinton's plan of operation. With these views he continued his march to Hopewell, where he arrived on the 23d; and being

* See *Writings of Washington*, Vol. V. pp. 410, 552.

here made acquainted with Clinton's order of march, and of the enormous baggage and provision train which encumbered his rear,* he immediately detached Morgan with six hundred men to assail his right flank; recalled Maxwell and Dickinson to the attack of the left; and sent a small and active corps under Cadwalader to harass the rear.

After making these arrangements, and before leaving Hopewell, the American general deemed it proper to call together, a second time, his council of war; to whom he repeated his former question, "Whether it would be advisable to hazard a general action with the enemy? And, if so, in what mode it should be brought on?" The opinion now given by the council did not materially vary from that given on the 17th, "that a general action in any form would not be advisable; but that a reinforcement of 1,500 men, sent to the advanced corps now acting on the enemy's left flank, might be proper."† General Scott was accordingly detached with the prescribed number of men to the point indicated in the opinion of

* "Under the head of baggage, was comprised not only wheeled carriages, but also the bât-horses, — a train, which, as the country admitted but one route for carriages, extended near twelve miles."

† From the opinion of both councils, Wayne dissented, believing that "circumstances should govern in the case."

the council; after which the army proceeded to Kingston.

Washington, while at this village, finding that Clinton had, on the 25th, taken the lower or Monmouth road to New York; and being thus assured that no immediate enterprise on the Highland posts was meditated by his enemy, promptly determined without further reference to councils of war to avail himself of the time yet left him, for bringing his adversary to an action, general or partial, as circumstances might direct. With this view, a select corps of one thousand men commanded by Wayne was added to the detachments already made, and the whole, now amounting to four thousand combatants, placed under the direction of Lafayette, with orders, "to lose no favorable opportunity of attacking the enemy's rear." Under these orders and with this object, the Marquis on the 26th took a position on the Monmouth road, about five miles in the rear of the British camp; but as the bulk of the army, from bad weather and want of provision, was not yet sufficiently advanced to sustain the movement, the corps was recalled early on the 27th to English Town, and the division of Lee added to it; when the command of the whole necessarily devolved on that officer, as senior major-general.*

* This command was first offered to Lee, who declined accepting it. When increased by Scott's and Varnum's brigades, he requested it.

About daybreak on the 28th, the British army was found to be again in motion, and, the fact being reported to Washington, he immediately ordered Lee to advance and attack its rear, "unless prevented by powerful reasons." Though this movement, from want of guides, was retarded until seven o'clock, nothing was lost to the object by the delay, as, on reaching the heights of Freehold, a portion of the British army was yet visible on the plain below. Lee, judging from what he now saw and from information obtained at the village, concluded that the corps before him formed Clinton's rear-guard, that its numbers did not exceed fifteen hundred or two thousand men, that it was too far behind its main body to be promptly sustained, and that by taking a different and nearer route to the point to which it was moving, it might be wholly cut off.

While attempting to execute this project, the reports brought to Lee by his patrols were so contradictory in relation to the quantum of force he would have to contend with, as to render it necessary for him to reconnoitre the enemy in person, when, greatly to his surprise he discovered, that instead of a rear-guard he was actually pursuing and nearly in contact with the enemy's main body.

In explanation of this new and unexpected state of things, it may be necessary to remark,

that Clinton, perceiving on the 27th a considerable accumulation of force on his rear, and thence inferring that his adversary meditated an attack on the encumbered part of his line, reversed on the 28th his customary order of march; despatching Knyphausen in front with the baggage and provision train, and assembling in the rear the most efficient parts of the army. When therefore a part of Lee's corps was seen descending the Heights of Freehold, Clinton suddenly wheeled his column and retraced his steps to meet and overwhelm the assailant, before it could be possible for Washington to sustain him; a movement, which, though in part repelled by Wayne, soon and necessarily brought the enemy into conflict with Lee, and on ground particularly unfavorable to that officer; being much uncovered in front, and having in its rear a morass, passable only by a single and narrow causeway, wholly unfit for the purposes of either regular retreat or speedy reinforcement. While this officer was endeavoring to extricate himself from the perils of this position, which an unauthorized movement of Scott and Maxwell had much increased,* the Commander-in-chief arrived on the field; and finding, to his great surprise and mortification, the

* Scott, having mistaken an oblique movement on his right for a retreat, quitted his position and was soon followed by Maxwell. — *Gordon*, Vol. II. p. 360.

élite of the army in rapid if not disorderly retreat, he instantly stopped the movement, and ordered Lee to re-form his corps on the ground he then occupied, and make such defence of it as would enable the remainder of the army, now fast approaching, to come up to his aid. These orders were well and promptly executed, and produced all the effect expected from them; checking the enemy's career, enabling Lee to repass the causeway with little if any injury, and giving time to Washington to take an order of battle with the morass in his front.

After a short pause, made necessary by the uncommon heat of the weather, Clinton resumed the pursuit, made good a passage over the morass, and so manœuvred, as indicated in turn an intention to attack the centre and left wing of the American line, when suddenly throwing his whole force on the opposite flank, he made a vigorous attempt to turn that extremity; but failing in this, and forbearing to make any further offensive movement, he soon after repassed the morass, and took a strong position on the ground Lee had occupied in the morning. Assured in the night of the safe retreat of his baggage and convoy, he hastened to follow them, and at daybreak had gained the Heights of Middletown.

In this affair, we find that the conduct of Wayne entitled him to new and high distinction. In

Washington's official report of the action, he says; "Were I to close my account of this day's transactions without expressing my obligations to the officers of the army in general, I should do injustice to their merits and violence to my own feelings. They seemed to vie with each other in manifesting their zeal and bravery. The catalogue of those, who distinguished themselves, is too long to admit of particularizing individuals. I cannot however forbear to mention Brigadier-General Wayne, whose good conduct and bravery throughout the action deserve particular commendation."

During the winter and spring of 1779 a belief, equally unfortunate and unfounded, pervaded the Union, that, as either the wants or the wisdom of Great Britain would speedily put an end to the war, the delay on the part of Congress and the States, in furnishing the means necessary for an early and vigorous campaign, was a proof only of a useful and laudable regard for public economy. We need hardly remark, that this delusion, in despite of the admonitions of Washington, had the effect of keeping the army of the north in a state of great inaction until the beginning of July. About this time, a small supply of clothing and other necessary articles having been received, the Commander-in-chief hastened to organize a body of light infantry, to which he soon after assigned a service, worthy of the corps, and of Wayne who had been selected as its leader.

The project here alluded to was the recapture of Stony Point; a strong position recently taken by the enemy on the Hudson, which, besides entirely commanding the ordinary communication between the middle and eastern States,* furnished a greatly increased facility for successfully attacking the American posts in the Highlands. Aware of the importance given by these and other circumstances to the post, the enemy sought to make it impregnable; and to the natural advantages of being washed by the river on two of its sides, and covered on a third by a marsh, regularly overflowed by the tide, the hill was encircled by a double row of *abatis;* while on its summit were erected high and strong breastworks, abundantly supplied with artillery, and defended by a garrison of six hundred veteran infantry.

Wayne, believing that few things were impracticable to discipline and valor, after a careful *reconnoissance*, adopted the project and hastened to give it execution. Beginning his march on the 15th from Sandy Beach, he at eight o'clock in the evening took a position within a mile and a half of his object. By the organization given to the attack, the regiments of Febiger and Meigs, with Hull's detachment, formed the column of the right; and the regiment of Butler and Mur-

* Known by the name of King's Ferry.

fey's detachment, that of the left. A party of twenty men, furnished with axes for pioneer duty, and followed by a sustaining corps of one hundred and fifty men with unloaded arms, preceded each column, while a small detachment was assigned to purposes merely of demonstration.

At half after eleven o'clock, the hour fixed on for the assault, the columns were in motion; but, from delays made inevitable by the nature of the ground, it was twenty minutes after twelve before this commenced, when neither the morass, now overflowed by the tide, nor the formidable and double row of *abatis*, nor the high and strong works on the summit of the hill, could for a moment damp the ardor or stop the career of the assailants, who, in the face of an incessant fire of musketry and a shower of shells and grape-shot, forced their way through every obstacle, and with so much concert of movement, that both columns entered the fort and reached its centre nearly at the same moment. Nor was the conduct of the victors less conspicuous for humanity than for valor. Not a man of the garrison was injured after the surrender; and, during the conflict of battle, all were spared who ceased to make resistance.

The entire American loss in this enterprise, so formidable in prospect, did not exceed one hundred men. The pioneer parties, necessarily the

most exposed, suffered most. Of the twenty men led by Lieutenant Gibbons of the sixth Pennsylvania regiment, seventeen were killed or wounded. Wayne's own escape on this occasion was of the hair-breadth kind. Struck on the head by a musket-ball, he fell; but immediately rising on one knee, he exclaimed, "March on, carry me into the fort; for, should the wound be mortal, I will die at the head of the column." The enemy's loss in killed and captured, amounted to six hundred and seven men.*

This affair, the most brilliant of the war, covered the commanding general with laurels. In reporting it to Congress, Washington, whose good taste as well as good sense forbade all prodigality of praise, says of Wayne; "To the encomiums he has deservedly bestowed on the officers and men under his command, it gives me pleasure to add, that his own conduct throughout the whole of this arduous enterprise merits the warmest approbation of Congress. He improved on the plan recommended by me, and executed it in a manner, that does honor to his judgment and bravery." Congress was not less sensible to his merits; and, in addition to that "cheap defence

* For the official letters and other particulars respecting this enterprise, see Sparks's edition of *Washington's Writings*, Vol. VI. pp. 287 - 304, 537.

of nations" (a unanimous vote of thanks), they directed that a gold medal, emblematical of the action, should be presented to him.

Of the many complimentary letters written to Wayne on this occasion by distinguished men, we shall but make a quotation from that of General Charles Lee. "What I am going to say, you will not I hope consider as paying my court in this your hour of glory; for, as it is at least my present intention to leave this continent, I can have no interest in paying my court to any individual. What I shall say therefore is dictated by the genuine feelings of my heart. I do most sincerely declare, that your assault of Stony Point is not only the most brilliant, in my opinion, throughout the whole course of the war on either side, but that it is the most brilliant I am acquainted with in history; the assault of Schweidnitz by Marshal Laudon, I think inferior to it. I wish you, therefore, most sincerely, joy of the laurels you have deservedly acquired, and that you may long live to wear them. With respect and no small admiration, I remain, &c." *

* See *Casket*, No. IX. p. 236. We are told by Mr. Marshall (*Life of Washington*, Vol. IV. p. 70), that General McDougall, with two brigades designated for the attack of the British fort on Verplanck's Point, commanded by Colonel Webster, was stationed on the eastern side of the river, and entirely prepared for executing the project; which was only prevented by an

Small districts of country separating hostile armies and covered on their flanks by rivers and marshes, are generally seized by the retainers of

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omission, on the part of Wayne, to inform McDougall of the successful issue of his attack on Stony Point. We are compelled to say, that the whole of this statement is incorrect. First, McDougall was not at any time designated to the command of this enterprise. His agency in the business was limited to the transmission, from West Point to the eastern bank, of the two brigades destined to this service. Secondly, this transmission was not made till the morning of the 17th, and in consequence of an order sent on the 16th by General Washington. Thirdly, General Howe, the officer appointed to take charge of these troops and to direct the assault, did not reach their place of rendezvous (the Continental Village) till the evening of the 16th. Fourthly, on the 17th the division moved to Peekskill, and was halted there until a *reconnoissance*, made of the fort and directed by the General, should be reported. And, fifthly, the engineer performing this service reported, that any attempt to carry the fort by assault would be ineligible. From these facts we think ourselves authorized to conclude, that the favorable moment of "*first impressions*," supposed to be made upon Webster and his garrison by Wayne's success, was not lost by any omission of the last-named officer, but by the fact, that the two brigades destined to the attack were not in a position, that enabled them to make the assault, on the morning of the 16th; and that, on the 17th, this mode of attack was deemed ineligible by the engineer, and by the general commanding the enterprise. — *Washington's Letter, of the 16th of July, to General McDougall; and Howe's Letter, of the 17th, to General Washington.*

one of the parties to the war, as depositories of the plunder taken from the adherents of the other. Such a position during the Revolution was found by British banditti on a neck of land lying between the Hudson and the Hackinsac; on which, the better to secure the proceeds of theft and robbery, was constructed a large and strong blockhouse, covered on its rear by the Hudson, and on its front and flanks by an *abatis* and stockade with ditches and parapets, serving as covered ways.

To break up this lawless and mischievous establishment, to withdraw from the isthmus supplies of cattle and horses intended for the use of the enemy, to decoy into the defiles near Fort Lee any British detachment sent for the protection of the blockhouse, and, lastly, to make such demonstrations, as might detain in port for a few days an armament known to be destined against the French fleet and army then at Rhode Island, formed the objects of an enterprise projected by Wayne and approved by Washington. The former marching accordingly, on the 20th of July, 1780, with the two Pennsylvania brigades, a small detachment of artillery with four six-pounders and Moylan's regiment of dragoons, arrived as intended at daybreak of the 21st at Fort Lee. Placing here two regiments in ambuscade, near

the defile through which any detachment coming to the aid of the banditti must necessarily pass, he gave to the second brigade a sustaining position in the rear, detached the dragoons down the Neck to collect and bring off the cattle and horses, while, with the first brigade and the artillery, he proceeded to the blockhouse. Here, after a short *reconnoissance,* he gave to the artillery a position within sixty yards of the work, and opened upon it a brisk and well-directed fire, kept up for somewhat more than an hour; when two expresses, in rapid succession, brought him information, that a number of boats filled with British troops were apparently in movement for the landing. As this circumstance gave reason to expect, that the primary object of the expedition might now be accomplished, Wayne hastened to withdraw the assailing troops, when unfortunately the rank and file of the first regiment, indignant at the idea of being foiled in the attack, made a rush on the blockhouse, broke through the *abatis,* attempted an escalade of the stockade, and were only recalled from their object by the remonstrances of their officers and a peremptory order of the general.*

* Wayne's *Report,* dated 22 July, 1780. — *Writings of Washington,* Vol. VII. p. 116.

On reaching the second brigade, Wayne found greatly to his own mortification and that of his division, that the reported movement of the enemy had been countermanded. Still, though two objects of the expedition had thus been lost, two had been gained; the cattle and horses collected by Moylan on the Neck were safely brought off, and a delay of three days produced in the sailing of the armament from New York; which had the happy effect of entirely defeating the project, on which it was sent.

In the distribution made of the army for winter service, Wayne's division was assigned to the neighborhood of Morristown; a point important alike from the means it afforded of obtaining early information of the enemy's movements, and of keeping open and uninterrupted the communication between the posts in the Highlands and Philadelphia, then the principal source of military supplies.

Soon after the date of this arrangement, a spirit of dissatisfaction began to show itself in the corps; but in a form so little alarming, as, in the opinion of its vigilant commander, rendered unnecessary any immediate or special precaution against it. Nor was any thing discovered in the subsequent language or conduct of the troops authorizing a change of this favorable opinion, till the 1st of January following; when, after a quiet and order-

ly termination of the festivities proper to the day, the whole division with a few exceptions was found in a state of open and decided insurrection; disclaiming all further obedience, and boldly avowing an intention of immediately abandoning the post, and of seeking, with arms in their hands, a redress of their grievances.*

To correct a state of things so unexpected and alarming, endeavors on the part of the officers were not wanting. Appeals, both urgent and frequent, addressed as well to the passions as the interests of the offenders, were faithfully but unsuccessfully tried; compulsory means, the last resort of invaded authority, followed; blows were given, wounds inflicted, and lives lost; but without producing the desired effect, and tending only to embitter a strife, melancholy in its cause and hopeless in its object. At half after eleven the conflict ended; when the insurgents, no longer obstructed, began their march to Princeton.

Wayne, anticipating only new and aggravated evils from the present temper of the troops and the riotous character of their movement, hastened on the 2d to follow and to join them; in the hope, that, though he should fail in bringing them to a full sense of their duty, he might be able to

* *Hazard's Register of Pennsylvania*, Vol. II. (1828), containing all the documentary evidence connected with the case.

impress upon them the advantage to themselves of more order in their march, of a due regard to the rights of others, and of a steady and inflexible adherence to a cause, in which they had so often fought and bled. The wisdom and the daring (for it was not without personal risk) of this resolution, combined with the conciliatory yet dignified manner in which it was executed, were not without their reward; and happily became the basis of a compromise, which, in some of its circumstances, was honorable to the insurgents and useful to the government. Overtaking the main body at Vealtown, where it had bivouacked for the night, he hastened to open a negotiation with a few of the non-commissioned officers, on whose intelligence and principle he could most rely; and was soon able to convince them, that, to obtain their own object, a change in their measures was indispensable; that, without order on their part, no proposition tending to an adjustment could be received from them; and that to this end they must begin by organizing a board or committee of their own number, with authority to make out a full and clear statement of their demands; in which case, he pledged himself to become their strenuous advocate, "so far as the claims made should be founded in justice or equity." In conformity to these suggestions, a committee of sergeants was appointed, the march to Princeton

resumed in better order, and a specification of grievances made out; which, if not numerous, were found to be sufficiently grave; "clothing generally bad in quality, and always deficient in quantity; wages irregularly paid, and in a currency far below its nominal value; and, lastly, service greatly prolonged beyond the legal term of enlistment." *

It will readily be perceived, that circumstances so unpropitious to the United States, and at the same time so unsusceptible of concealment, could not long be kept from the knowledge of the British commander-in-chief; and that, after having become known to him, he would not hesitate to avail himself of them. Apprized of the revolt during the night of the 3d of January, and made to believe that its ultimate object was a desertion to New York, he hastened to place on Staten Island a corps of five thousand infantry and artillerists, with a competent number of boats for their speedy transportation to Perth Amboy; while on the 7th he despatched written proposals to the insurgents, inviting them to a junction with

* These grievances were all shown to exist. That of *prolonged service* grew out of the use of the terms "three years, or during the war," employed in the enlistment; the officers contending that the alternative was in the choice of the government; the soldiers, that the election was in them.

him, indicating the route by which the movement could most safely be made, engaging to cover it if necessary by a body of troops, and promising "a discharge of all debts due to them by the Congress, without expecting in return any military service on their part, unless voluntarily given." These propositions, despatched on the day of their date to Princeton, were immediately delivered to the nominal commander of the insurgents; who in his turn lost no time in submitting them to the board of sergeants. By this body they were promptly and proudly rejected, the bearers of them put into close confinement, and the transaction in all its parts communicated to Wayne; with a general and solemn assurance, that, "should any hostile movement be made by the enemy, the division would immediately march, under their old and beloved commander, to meet and repel it." This new and favorable excitement on the part of the troops did not escape the notice of Wayne, who hastened to avail himself of it, and fortunately made it a powerful instrument in bringing about the amicable adjustment which soon after followed.*

* Propositions made to the soldiers and accepted by them. "First, that all soldiers of the Pennsylvania line, who had been detained beyond the legal term of enlistment, or who had been trepanned into new engagements, should be discharged. Secondly, that commissioners,

Such is the brief history of a revolt, which, in all its aspects, was more menacing to the interests of the Union, than any other single occurrence of the war; affording an example, not to be forgotten, of the mischiefs, moral and political, which a want of punctuality and justice in a government never fails to inflict upon a nation.

We have already suggested, that as early as 1777–8 the British government meditated a change of system in carrying on the war; and that, instead of wasting their time and strength in reaping iron harvests in the north, a large portion of their disposable force, naval and military, should be directed against the industry and products of the south.

Circumstances, which control alike the projects of nations and of individuals, prevented this plan from being sufficiently matured for execution till 1781, when, in addition to the army serving in

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to be appointed by the Council of Pennsylvania, should hear the cases of the several claimants, and give discharges on the principles laid down in the preceding article, the oaths of soldiers to be received as sufficient evidence in all cases in which the enlistments could not be produced. Thirdly, that depreciation of pay should be made up, arrearages settled, and certificates given for the amount; with a supply of comfortable clothing. And, fourthly, that a general pardon of all offences committed during the insurrection should be given to the insurgents on their acceptance of the preceding terms."

the Carolinas, several detachments were made to Virginia, under Leslie, Arnold, and Phillips, whose ravages, extending as they did from the ocean to the mountains, and even including the capital and principal towns in the State, are not likely to be soon forgotten. To restrain if possible this war of waste and depredation, and at the same time to furnish a nucleus on which the militia of the invaded territory might best be collected and formed, Washington, early in the month of April, despatched Lafayette with twelve hundred regular infantry to Virginia; and, not long after, gave to the remains of the Pennsylvania line (now amounting to eleven hundred combatants, commanded by Wayne), a similar destination.* The junction of these corps took place on the 7th of June, and was speedily followed by two occurrences, alike important and unexpected, — the immediate cessation of Cornwallis's pursuit of the "French boy," as he called Lafayette, and a new and retrograde direction given to his own movements. Falling back slowly on Westham, he thence proceeded to Richmond and subsequently to Williamsburg, where he arrived on the 23d of June. Resuming his march on the 4th of

* Both corps were originally destined to the assistance of Greene, but, at the instance of Virginia, were retained in that State for her defence against the inroads of Arnold and Phillips.

July, he on the 5th reached Jamestown Ferry, where he was obviously employed in preparing to transport his stores, spoils, and baggage, to the northern side of the river.

Lafayette, governed as well by the suggestions of his own prudence as the injunctions of his commanding general,* followed cautiously on the track of Cornwallis till the 5th, when, being apprized of his movement from Williamsburg, and present occupation at Jamestown, he hastened to take a position at Chickahominy Church; which, from its proximity to the ferry, enabled him to seize any advantage arising from haste, negligence, or indiscretion on the part of his antagonist while passing the river. Informed early on the 6th through various and well accredited channels,† that "the main body of the British army had already effected its passage to the northern bank, leaving behind it on the southern only a rear-guard of ordinary force and composition," the American general hastened to avail himself of the circumstance, and, without awaiting the arrival of his whole army, directed Wayne to advance immediately with the *élite*, not exceeding seven hundred men, and attack this supposed rear-guard.

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* Greene directed Lafayette not to hazard a general action.

† The late Judge Washington and Mr. Ludwell Lee.

In executing this order, after driving in the enemy's pickets, exterior and interior, Wayne very unexpectedly found himself within less than fifty yards of the whole British army drawn up in order of battle, and already pushing forward flank-corps to envelope him. Moments decide the fate of battles; and the mind of our hero, prompt as firm, seeing at a glance the whole extent of his danger, and knowing that boldness only could afford a sufficient security against it, resorted to a charge.* This was made with the vigor and gallantry habitual to the corps, and with the most decided effect upon the enemy. The flank movements, so menacing to the assailants, were not merely suspended, but recalled; while his centre was held in a state of great inactivity. Availing himself of these new and favorable circumstances, Wayne now retreated, as rapidly as he had advanced, and thus contrived to give to the whole movement the character of a manœuvre,

* The course pursued by Wayne was in perfect conformity to the soundest military maxims. Among others, sanctioned by the judgment and the example of Turenne, Villars, and Napoleon, are the following; — "Surpris par une armée supérieure, un général ordinaire cherche son salut dans la retraite; mais un grand capitaine paiera d'audace, et marchera à la rencontre de l'ennemi." "Lorsqu' on occupe une position où l'ennemi menace de vous envelopper, il faut vîte rassembler ses forces, et menacer l'ennemi d'un movement offensif."

intended to draw the British army into an ambuscade; an impression, so decidedly made on the British general, that all pursuit of the American corps was forbidden.*

The loss sustained in this affair by the assailants amounted to one hundred and eight men of the regular army; certainly a misfortune, but small compared with what it would have been, had a retreat been attempted without fighting. Still to a certain order of military critics, who

* That a pursuit was forbidden is a fair inference from the fact, that none was made, and that Lafayette encamped for the night within six miles of the enemy without disturbance of any kind. But on this head we have the direct evidence of Tarleton, that, "*not till after daybreak*" of the 7th, was he detached, with two hundred dragoons and eighty mounted infantry, to cross the swamp and follow on the track of the American army, which he found quietly encamped about six miles from the field of battle. — *Tarleton's Campaigns*, p. 356. Cornwallis's omission to pursue Lafayette, on this and other occasions, has given rise to some diversity of opinion among the writers of American history. Lee attributes it to a sense of subordination, and a conformity to the wishes and opinions of Sir Henry Clinton; who, under an apprehension of an attack on New York, had directed Cornwallis to send him three thousand men for its better security. Marshall, on the other hand, ascribes the inactivity of Cornwallis, after Wayne's junction with Lafayette, to a belief, that his adversary's force was much greater than it actually was. A safer opinion perhaps than either is, that his Lordship's conduct was the joint effect of both these causes.

make all good generalship to consist in avoiding danger, it served for a moment as a ground of censure against Wayne. By them the "attack was deemed rash and the loss useless"; but such was not the opinion of either Washington or Greene. The first of these, in a letter of the 30th of July, 1781, says, "I received, with the greatest pleasure, the account of the action at Green Spring. The Marquis speaks in the handsomest manner of your own behavior and that of the troops under your command. Be pleased to make my compliments to Colonels Butler and Stewart and the other gentlemen of the line. I cannot but feel myself interested in the welfare of those, to whose gallant conduct I have so often been a witness." Greene's tribute of applause is equally full; "The Marquis gives you great glory for your conduct in the action at Jamestown; and I am sensible that you merit it. O that I had but had you with me a few days ago! Your glory and the public good might have been greatly advanced."

The day after the preceding affair, the British general continued his march to Portsmouth, and subsequently took post at York; where, on the 17th of October, he terminated his military career in America by a surrender of himself, his army, and his post.*

* For a brief account of the siege of Yorktown, see the *Note* at the end of the Memoir.

Wayne, though yet suffering under the effects of a wound in the thigh, received during the Virginia campaign, was on the 15th of December detached to the army of General Greene, and, on the 1st of January following, was sent by that officer "to reinstate, as far as might be possible, the authority of the Union within the limits of Georgia." To effect this important object the means given him were "one hundred regular dragoons, three hundred undisciplined Georgia militia, and about the same number of State cavalry." * The offer of a force, so obviously inadequate to the purpose, would by most men have been certainly regarded as a hardship, and probably as an insult; but from Wayne not a syllable of complaint or objection was heard. The command was accepted, not merely with professional submission, but with the utmost alacrity; when, substituting activity for discipline and skill, and boldness for numbers, he in the short space of five weeks drove the enemy from all his interior posts, cut off Indian detachments marching to his aid, intercepted the forays of his main body, and, on the land side, penned

* "I imagine we shall be able, by a draft of one half of the militia, to bring about three hundred effectives into the field, exclusive of Jacksons' cavalry and infantry, amounting to ninety men, and M'Coy's corps of volunteers to eighty." — *Governor Martin's Letter to Wayne, January*, 1782.

him up in a great degree within the narrow limits of the town of Savannah.

Writing to Greene on the 28th of February, he says; "The duty we have done in Georgia was more difficult than that imposed upon the children of Israel; they had only to make bricks without straw, but we have had provision, forage, and almost every other apparatus of war, to procure without money; boats, bridges, &c. to build without materials, except those taken from the stump; and, what was more difficult than all, to make *Whigs* out of *Tories*. But this we have effected, and have wrested the country out of the hands of the enemy, with the exception only of the town of Savannah. How to keep it, without some additional force, is a matter worthy of consideration." * The additional force, thus modestly requested, did not arrive till the 4th of April, and then consisted only of three hundred effective rank and file; which however, when added to two other corps (made up by the General out of Tory penitents), enabled him to keep the enemy, if not

* In a letter to a friend the General says; "In the five weeks we have been here, not an officer or soldier with me has once undressed, excepting for the purpose of changing his linen. The actual force of the enemy at this moment is more than three times that of mine. What we have been able to do has been done by manœuvring, rather than by force."

in a state of absolute confinement, at least in one of constant alarm.

To check a spirit of discontent produced by this state of things, and infecting alike the army and the inhabitants of the town,* General Clark, the British commanding officer, found it necessary to invoke the aid of his Indian allies; two parties of whom, the one composed of Choctaws, the other of Creeks, began their march early in May for the British camp. The former, having the shorter distance to travel, were the first to reach the environs of Savannah; where, by Wayne's vigilance and address, they were met and nearly all captured. Instead, however, of treating them as enemies, the General contented himself with retaining two or three of their principal chiefs as hostages; and dismissed the remainder, with a lecture on the folly of adhering to a power no longer able to protect them, and the wisdom of returning immediately to their homes, and never again taking an interest in a war, with which they had no necessary or natural connexion.

To prevent the occurrence of any similar accident to the Creeks, whose approach was now

* The circumstance, which gave most cause for this discontent, may be found in an intercepted letter containing the following paragraph; "We are cooped up within the town of Savannah by about 300 rebels, while we can muster 2,500 men fit for duty." — JOHNSON's *Life of Greene*, Vol. II. p. 289.

expected, Clark, on the 20th of May, detached Colonel Brown, with a strong party of horse and foot, to meet them at Ogeechee, and thence to convoy them to the city. Apprized of Brown's movement on the day of its occurrence, and informed, that, in returning, that officer must necessarily pass a long and narrow causeway, skirted on both sides by swampy grounds; Wayne hastened to seize this defile, and, by uncommon labor and perseverance, was able to reach it with the head of his column, about twelve o'clock at night; when, somewhat to his surprise, he found the enemy advancing upon him. With only a moment to decide on the course to be pursued, his plan was promptly formed; and, believing that in night attacks success depends more on prowess than on numbers, he ordered his small party, consisting only of one company of infantry and a single section of dragoons, to charge the advancing column; an order which, according to his official statement, was obeyed with "a vivacity and vigor, which, in a moment and without burning a grain of powder, defeated and dispersed the whole of it." *

* Colonel Douglass and forty men were killed, wounded, or taken on this occasion; and a valuable acquisition was made in horses and fire-arms.

From some cause never well ascertained, Gueristasego,* the leader of the Creeks, had been prevented from reaching Ogeechee on the 20th, as was expected, and of course escaped all share in Brown's defeat. Apprized however of this event on the 22d, and by no means shaken in his purpose by it, the Indian chief, equally distinguished for courage and for cunning, determined to persevere, and even to retaliate as he went along the blow his ally had suffered on the 21st. Confining his march to the woods and swamps during the 22d and 23d, he on the 24th reached a position within striking distance of Wayne's picket-guard, whence, about midnight, creeping through grass, weeds, and bushes, he reached an out-lying sentinel, whom he instantly and silently killed; after which, approaching undiscovered a company of Posey's corps, stationed to protect the artillery, he fell furiously upon it with his whole force, and compelled it to fall hastily back upon a quarter-guard. But, the camp being now sufficiently alarmed, the dragoons mounted, and the infantry brought up, Wayne resorted to his favorite weapons, the sabre and the bayonet; and charging the savages on front, flank, and rear, a general rout on their part

* This name is given to the Creek chief by Lee and Wayne; but Johnson calls him Emitasago.

ensued, — leaving on the field their dying chief and nineteen of his followers, who had fallen around him. In the pursuit which followed, twelve of the fugitives were overtaken, making the ascertained loss of the assailants thirty-two. Judging however from the character of the conflict, which for fifteen minutes was sustained hand to hand, and the Indian usage of carrying off the dead and wounded, their actual loss was probably much greater.*

The British government, having about this time resolved to abandon all further offensive operations in America, gave orders for evacuating Georgia. As soon as this determination had been announced to the merchants and other inhabitants of the place, they applied to General Wayne to know how far, in case of the departure of the British garrison, their persons and property would be respected. To this question the General replied, — "That the merchants and

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* The historian of the southern war, after describing this affair, says, — "This surprise rather increased than diminished Wayne's military reputation. Those, who knew the difficulty of guarding against such an event from such an enemy, were ready to excuse it; while the firmness, discipline, and valor of the troops, and his own promptness and coolness in recovering them from their surprise, commanded the admiration of all." — JOHNSON'S *Life of Greene*, Vol. II. p. 299.

traders, not citizens of the United States, nor owing allegiance to the State of Georgia, shall be allowed six months to dispose of their effects and adjust their concerns; at the expiration of which term, they will have a flag granted, to convey themselves, and such property as they may have received in exchange or payment for their goods, to one of the nearest British posts, should they request it." With regard to such of the inhabitants as had served in the militia, and who were willing to enlist in the Georgia regiment of infantry for two years, or during the war, "they might be assured that every effort that he could exert would be employed in obtaining for them an act of oblivion of all offences committed by them during the war, excepting murder."

In Wayne's official report of the reasons, which led him to adopt the preceding course, we find an evidence of the moderation and generosity, which in a successful commander are always wisdom. "In offering these terms," he says, "I had in view not only the interest of the United States, but also that of Georgia; by retaining as many inhabitants and merchants as circumstances would admit, and, with them, a considerable quantity of goods, much wanted for public and private use; but (what was yet of greater consequence) to complete your quota of troops without any expense to the public, and thus reclaim a number

of men, who, at another day, will become valuable members of society. This also appears to me an act of justice, tempered with mercy; justice, to oblige those, who have joined or remained with the enemy, to expiate their crime by military service; and mercy, to admit the repentant sinner to citizenship, after a reasonable quarantine. By these means those worthy citizens [the Whigs], who have so long endured every vicissitude of fortune with more than Roman virtue, will be relieved from that duty."

On the 12th of July, the British troops evacuated Savannah; after which, Wayne with the few regular troops under his command was recalled to South Carolina by General Greene; who, in the letter conveying this order, (in addition to many occasional plaudits given to Wayne's conduct during the compaign,) now bestows upon it the following general encomium;—"I am happy at the approaching deliverance of that unfortunate country; and what adds to my happiness is, that it will reflect no small honor upon you. I wish you to be persuaded, that I shall do you ample justice in my public accounts to Congress and the Commander-in-chief. I think you have conducted your command with *great prudence* and with *astonishing perseverance*; and, in so doing, *you have fully answered the high expecta-*

tions I ever entertained of your military abilities, from our earliest acquaintance."

The evacuation of Savannah was soon followed by that of Charleston; and this, by a treaty of peace, which after a seven years' absence restored Wayne to his own fireside in Pennsylvania. Soon after his return thither, he was elected a member of the Council of Censors, and, subsequently, to a seat in the Convention, "called to revise and amend the Constitution of the State." In the discharge of the duties appertaining to these appointments, Wayne gave a willing and laborious attention, but, from reasons altogether personal and private, declined any farther service in a civil capacity.

It may be readily supposed, that the General's long abstraction from his paternal estate had no tendency to make it better, and even rendered necessary much personal attention and considerable pecuniary advances to recover it from the disorder into which it had fallen. But a farther and still greater demand for both was produced by a landed donation made to him by the State of Georgia; which (though nothing could have been better intended) became a gift hardly less unfortunate than that of Dejanira to Hercules. To sell the offering of a State, made in expression of its gratitude for important services, seemed to be forbidden by delicacy; yet between this and

borrowing a large sum of money indispensable to its improvement he was compelled to choose; and unfortunately decided in favor of the latter. A loan not being negotiable here, resort was had to Holland, where it was effected, and bills for the amount sold in Philadelphia; all of which, from causes of which we know nothing, were returned protested; a circumstance which long and greatly embarrassed the General, and terminated at last in the sacrifice of his Georgia grant. But the time had now arrived, when private and personal griefs must yield to public considerations; and when, by the voice of the nation and the selection of Washington, Wayne was again called to the command of an army.

It will be remembered, that the treaty of peace between Great Britain and the United States did not extend to the Indian allies of the former; several tribes of whom continued their hostilities, and to such extent, that, between the years 1783 and 1790, no less than fifteen hundred and twenty men, women, and children, of Kentucky alone, had been killed or captured by them. All ordinary means of terminating a state of things so injurious and disgraceful, without a recurrence to arms, were frequently and faithfully tried, but without furnishing even a hope of success. The patience and moderation of Washington were at last exhausted; and in September, 1791, General

Harmar, with three hundred regulars and twelve hundred militia, was ordered to enter the Indian settlements and endeavor by chastisement, if pacific means failed, to bring the Wabash and Miami tribes to reasonable terms. This first experiment proving altogether unsuccessful, a second and more formidable armament was despatched under Major-General St. Clair; who, on the 4th of November, 1791, was fated to suffer a total and disastrous defeat.*

This new misfortune producing much public and painful sensation, and rendering necessary measures of the most efficient character, as well to sustain the credit of the government, as to bring to an end the sufferings of the frontier population, the military establishment was increased to five thousand two hundred men, a legionary organization substituted for the regimental, and a competent staff provided. But, however ample the force and judicious the formation and equipment of an army, little is to be expected from its efforts, unless they be directed by a chief, uniting in himself valor, prudence, perseverance, professional skill, and a competent knowledge of the

* Of commissioned officers, 38 were killed and 28 wounded, many of whom died; of non-commissioned officers and privates, 600 were killed, and 242 wounded; — 7 pieces of artillery, 200 draft-oxen, and many horses were taken.

habits and practices in war, of the enemy he has to contend with. Fortunately for Washington, of his comrades of the Revolution Wayne still survived; and was promptly appointed to the command of the legion and army of the West.

It was not, however, till the 16th of October, 1793, that, with all the activity the General put into the service, the troops were raised, assembled, equipped, and otherwise prepared to take the field; an interval, which Washington, more perhaps in modest submission to public opinion, than to the dictates of his own judgment, employed in new attempts at pacification by treaty. The hostile manner, in which these were received, made war indispensable. Colonel Hardin and Major Trueman, two gentlemen of the West, of much and well-merited respectability, who had been prevailed upon to become the bearers of one of them, were barbarously murdered by the savages, to whom they were sent; nor was the issue of the other, though less unfortunate to the persons charged with its delivery, more successful as regarded its objects; as, after a long-protracted negotiation, having the effect only of postponing the expedition till the enemy felt himself better prepared to meet it, the terms offered by the government were decidedly rejected.

In a letter from General Knox, of the 3d of September, 1793, he says, — "The Indians have refused to treat, and you are now to judge, whether your force will be adequate to make them feel our superiority in arms. Every offer has been made to obtain peace by milder terms than the sword; these efforts have failed, under circumstances, which leave nothing for us to expect but war. Let it therefore be again, and for the last time, impressed upon your mind, that as little as possible is to be hazarded; that your force be fully adequate to the object you purpose to effect; and that a defeat at the present time, and under present circumstances, would be pernicious, in the highest degree, to the interests of our country. Nothing further remains, but to commit you, and the troops employed under you, to the protection of the Supreme Being; hoping you and they will have all possible success, in the measures you may be about to take, to prevent the murder of helpless women and children."

Under these orders, Wayne began his march from a camp, near the site of the present town of Cincinnati, at which he had wintered; but, from the necessity of multiplying forts to secure his communications, the advanced state of the year, and the admonitions of the government to hazard as little as possible, it was not till the 8th of August, 1794, that he was able to reach the

Indian settlement, the destruction of which formed the first object of the enterprise. Arrived at last at the junction of the Au Glaize and the Miami, and reinforced by eleven hundred mounted volunteers from Kentucky, he there erected a fortification, to which he gave the name of Fort Defiance. Writing from this point to the secretary of war, he says, — "Though now prepared to strike, I have thought it proper to make to the enemy a last overture of peace; nor am I without hopes, that they will listen to it."

But in this humane expectation the General was disappointed. Elated by the success, which had hitherto attended their arms, and the impressions made by it on other tribes; stimulated also by promises of aid given by the British agents, and still more by the actual intrusion of a British garrison far within the limits of the United States, and evidently established with a view of supplying Indian wants and sustaining Indian pretensions; the savages, though not directly rejecting the overture, so palpably evaded it, as to deprive the General of all farther hope from it. He accordingly on the 15th advanced to Roche-Debout; where, having erected and fortified a depot, he disencumbered himself of his stores and baggage, and on the 19th marched on the position taken by the enemy. This, which had been closely and carefully reconnoitred on the

18th, was found to be in all respects well adapted for defence, its right flank covered by thickets nearly impervious, its entire front by a strong *abatis*, the effect of a tornado, while its left rested on the river Miami. Behind these natural and accidental barriers lay the enemy, amounting to two thousand combatants, in three lines of open order, with flanks widely extended; as well to prevent their own position from being turned, as to favor any manœuvre of a similar kind practised by themselves against their assailant.

After a march of five miles, Wayne's advanced guard was briskly attacked from a thicket, made up of tall grass and underwood. On this evidence, that he had now reached the enemy's position, the General immediately directed the legion to take its customary order of battle; despatched Scott, with the whole of the mounted men, to turn his left flank and fall on his rear; and "ordered the front line of the legionary infantry to rouse the savages from their lair with the point of the bayonet, and, when up, to deliver a close and well-directed fire on their backs." These orders were promptly obeyed; but so irresistible was the bayonet-charge, that both Indians and Canadians were driven from their position and completely routed, before either Scott's corps or the second legionary line

could get up to take part in the action. The American loss sustained in the combat did not exceed one hundred and seven men; while that of the enemy was much greater, as the field of battle was strewed with dead bodies, red and white; which, from the precipitancy of their flight, had not been removed. "We remained," says the General in his official report, "three days and nights on the banks of the Miami in front of the field of battle, during which time all the houses and corn were consumed, or otherwise destroyed, for a considerable distance both above and below Fort Miami; and we were within pistol-shot of the garrison of that place, who were compelled to remain quiet spectators of this general devastation and conflagration."

On the 24th the army began its march for Greenville, and in their way thither laid waste villages and corn-crops for a distance of fifty miles, on each side of the river; and, at a later period, destroyed those also on the Au Glaize. This service was not to Wayne a pleasing occupation; but, being necessary to bring the Indians completely to their senses, and being besides prescribed to him by the government as a duty, it could neither be pretermitted nor evaded. Nor was the calculation, made on the effect it would produce on the enemy, overrated. Convinced at last of the evils of war, when brought

to their own cabins and corn-fields, the enemy solicited peace. This was promptly granted, and, on the 1st of January ensuing, articles preliminary thereto were signed; which, on the 7th of August, were confirmed by a definitive treaty.

Plaudits and thanks, public and private, now accumulated upon Wayne. The Congress, then in session, unanimously adopted resolutions highly complimentary to the General and the whole army. The President of the United States conveyed to him expressions of the warmest approbation and the highest respect. His entry into Philadelphia was triumphal. All business in the city was suspended; he was met on his approach by its militia in mass, and conducted through the streets amidst the stirring sounds of martial music, the ringing of bells, the roaring of cannon, and the acclamations of a grateful people. Such was the spontaneous burst of public admiration; and such the high evidence of the universal sense entertained of the important services he had rendered. Nor (if estimated by the number and character of the benefits they conferred on the nation) will it be thought that these were overrated. Besides putting an end to a war, brutal as bloody, and waged without the smallest respect for age or sex throughout our western frontier, they had the farther effect of quieting

Indian excitement in both the north and the south; of opening to a civilized population the fine region, which had been the theatre of the late hostilities; and of eventually adding to this a large territory equally inviting to settlement and culture. A farther and most useful effect was to allay the feverish and factious feeling existing at home; which, availing itself of the unfortunate issue of Harmar's and St. Clair's campaigns, had gone far to shake the confidence of the people in the executive branch of the government; while, abroad, it hastened the execution of the pending negotiation with Great Britain; by which, the American posts, so long and pertinaciously held by that power, were at last given up.

Appointed by the government sole commissioner for treating with the North-western Indians, and receiver of the military posts given up by the British government, General Wayne again returned to the West; and, after a prompt and faithful discharge of the duties attached to these new functions, while descending Lake Erie from Detroit, was attacked by the gout, which in a few days put an end to his life and his labors. His remains, temporarily buried on the shore of the Lake, were removed by his son in 1809 to the cemetery of St. David's church, in Chester County, Pennsylvania; where a monument, rais-

ed to his memory by his comrades of the Revolution, exhibits the following inscriptions.

North front.

Major-General
ANTHONY WAYNE
Was born at Waynesborough,
In Chester County,
State of Pennsylvania,
A. D. 1745.
After a Life of Honor and Usefulness,
He died in December, 1796,
At a military Post
On the Shore of Lake Erie,
Commander-in-chief of the Army of
The United States.
His military Achievements
Are consecrated
In the History of his Country,
And in
The Hearts of his Countrymen.
His Remains
Are here deposited.

South front.

In Honor of the distinguished
Military Services of
MAJOR-GENERAL ANTHONY WAYNE,
And as an affectionate Tribute
Of Respect to his Memory,
This Stone was erected by his Companions
In Arms,

The Pennsylvania State Society of
The Cincinnati,
July 4th, A. D. 1809,
Thirty-fourth Anniversary of
The Independence of the United States;
An Event which constitutes the most
Appropriate Eulogium
Of an American Soldier and
Patriot.

NOTE.

(See Page 61.)

On Wayne's agency in the affair at Yorktown, we cannot do better than to offer (what may be new to many of our readers) a detailed, but brief account of the investment and siege.

28th September, 1781. Combined French and American armies under the command of his Excellency General Washington, moving in two columns (the American on the right, and the French on the left), arrived in view of the enemy's lines, about four o'clock, P. M.

29th. Completed the investment. The enemy abandoned their exterior works in the evening; leaving two redoubts perfect, within cannon-shot of their principal fortifications.

30th. The allied troops took possession of the ground abandoned by the British; the French occupying the two redoubts, and the Americans breaking ground and beginning two new ones on the right.

October 2d. The enemy commenced a cannonade which continued through the day and night, but with very little effect, two men only being killed by their fire.

3d. A drop-shot from the British, last night, killed four men belonging to the covering party.

4th. American redoubts perfected; enemy's fire languid.

5th. Two men killed by a ricochet shot.

6th. Six regiments, that is, one from the right of each brigade, marched at six, P. M., under Generals Wayne and Clinton, and opened the first parallel, within five hundred and fifty yards of the enemy's works on their extreme left; continued by the French to the extreme right.

7th. Parallel nearly completed without any opposition from the enemy, except a feeble fire of musketry and artillery, by which a few of the French troops were wounded.

8th. First parallel completed. Two men of the Pennsylvania line killed by a ricochet shot.

9th. Three o'clock, P. M., the French opened a twelve-gun battery on the extreme right of the enemy; and at five, P. M., a battery of ten pieces was opened on the extreme left, by the Americans, with apparent effect.

10th. At daybreak, three other batteries were opened; one of five pieces by the Americans, and two by the French, containing twenty-two guns opposite the centre of the British works. At five, P. M., another American battery, of two ten-inch howitzers, was also opened; which produced so severe a fire, that it in a great degree silenced that of the enemy. At seven o'clock, P. M., the Charon, of forty-four guns, was set on fire by our balls and totally consumed.

11th. The second parallel begun to-night by the Pennsylvania and Maryland troops, covered by two battalions commanded by General Wayne.

13th. Second parallel nearly completed.

14th. Two detached redoubts, belonging to the enemy, stormed a little after dark; that on the extreme left by the American Light Infantry under the Marquis de Lafayette; in which were taken, one major, one captain, and one subaltern, with seventeen privates, and eight rank and file killed. Our loss in killed and wounded, forty-one. The other redoubt was carried by the French under the Baron Viomenil, with the loss of one hundred men, killed and wounded. Of the enemy eighteen were killed, three officers and thirty-nine privates captured. The two attacks above mentioned were sustained by two battalions of the Pennsylvania line under General Wayne. The second parallel completed by detachments of the Pennsylvania and Maryland line under Colonel Walter Stewart.

15th. Two small batteries opened this evening.

16th. A sortie made by the enemy, in which they spiked seven pieces of our artillery, but were immediately repulsed. The spikes drawn, and the batteries again opened.

17th. At ten, A. M., the enemy beat the *chamade* introductory to the negotiation, which terminated in the surrender.

LIFE

OF

SIR HENRY VANE,

FOURTH GOVERNOR

OF

MASSACHUSETTS.

BY

CHARLES WENTWORTH UPHAM.

PREFACE.

In compiling the following memoir, the writer has availed himself of the usual authorities in reference to the period of which it treats. His most valuable materials, however, have been drawn from the printed works of Sir Henry Vane himself, many of which he has fortunately been able to procure. Several of his speeches, and one or two of his larger productions, cannot be found in this country, and are probably very rare in England. If they could have been obtained, the biography would, of course, have been more satisfactorily executed.

As it was designed to furnish an account of the Life and Writings of Sir Henry Vane, it was necessary to present frequent and liberal extracts from his various productions. In adopting this course, the writer is strong in the belief, that he has recovered from oblivion what will be considered a valuable addition to the literature of the language; and, however inadequately he may have accomplished his purpose, of investing with

the glory he deserves one of the greatest patriots and men of modern times, he is sure that, in perusing the quotations from Sir Henry's writings, the reader will be instructed, delighted, and improved by the noble sentiments, the enlightened views, and the admirable expositions of political, moral, and religious truth, which they contain.

Perhaps it may be proper to say a word in respect to the substance of the memoir itself. While it claims to be an American biography, the scene is principally laid in England, and the history it embraces belongs to the annals of that country.

But we claim a right of property in the glory of Sir Henry Vane, because his name is enrolled as a citizen of Massachusetts, and adorns the list of her Governors, and, still more, because his whole life was devoted to the illustration and defence of American principles, and finally sacrificed in their cause.

We claim his name as our own, on the same ground that we claim that of Lafayette. And, here, I would suggest to the reader to notice, as he traces the life of Vane, the singular parallelism it presents to the life of Lafayette. They derived their origin and received their education in the highest spheres of the ancient aristocracy of their own countries. In early life their hearts were attracted and their steps turned towards

America. They left the traces of their characters deeply engraven upon our annals, and, returning to the old world, labored and suffered to confer upon their native lands the blessings of liberty. Their names are gloriously united by the inflexible consistency, with which they maintained their principles in every vicissitude of fortune, from the highest stations of power at the head of admiring nations, to imprisonment, chains, and dungeons. There is a remarkable similarity in the relations they sustained to the great military usurpers of their times. They were equally faithful to the cause of liberty and humanity.

The efforts of Lafayette, living as he did in an advanced stage of civilization, were crowned with a more prosperous issue. His sun went down in peaceful splendor. Vane's sunk beneath the horizon in blood. But if the memory of the latter can be revived in the hearts of men, his own extraordinary and sublime anticipations will be realized, and his life and death will exert a potent influence in hastening on the reign of liberty, peace, and holiness.

Every day serves to strengthen the convictions of reflecting men, that liberty can only be maintained by the diffusion of Christian virtue and truth in the hearts of the people. This was the great distinguishing principle of Vane, as a statesman. In his religious acquisitions, and in his

personal experience and manifestation of the spirit of piety, he transcends the examples of all other patriots known to fame. For this, he was called a fanatic, in a licentious age; but I trust and believe, that every one, into whose hands this volume may pass, will regard his Christian attainments as the richest gem in the crown of his glory.

We claim Vane and Lafayette as our own. The history of their lives is a part of our renown. In sending them to our shores, the old world made a noble benefaction to the new; and it is the duty of the new world in return to do justice to their characters, and, while we keep bright the memory of the latter, to dispel the clouds that have gathered around the name of the former, that their examples may shine with unobstructed, mingled, and quickening beams upon the whole human family.

SIR HENRY VANE.

CHAPTER I.

Introduction.

It is the peculiar privilege of the American historian, that he is enabled to trace his narrative back to its origin, without departing from the confines of recorded certainty into the regions of traditionary fable. His incidents and characters are all comprehended, if not within the memory of living witnesses, certainly within the reach of documentary evidence so recent as to leave no room to doubt its authenticity.

It has sometimes been mentioned, as an offset to this advantage, that our history is, on this account, necessarily destitute of those associations of romance, which are thought to depend for their existence upon the mists of an uncertain antiquity. But, in point of fact, there is no foundation for this remark. The fabulous legends of no nation present more interesting and extraordinary descriptions of events and characters than are collected in our annals.

The state of society throughout Christendom at and for some time after the original settlement of the American colonies; the face of the country, an interminable and unexplored wilderness; and the relations its inhabitants sustained towards the aboriginal tribes on the one side, and the conflicts of Europe on the other; all together constituted a copious source of diversified and romantic interest, which was not exhausted until the close of the revolutionary war.

In the infancy of the colonies, the commonest incidents of every-day life were invested with all the attractions, which fortitude, courage, peril, and suffering can possibly confer. The first age of America was in an eminent degree a heroic and romantic age. The world does not afford a parallel to it. The imagination and the sensibility ever find incitements to exercise while we contemplate it; and each advancing age of our literature bears increasing testimony to the enthusiasm with which the extraordinary events and circumstances of the first generation of the Pilgrims must always be regarded.

But the primitive age of civilization in America is not to us, and never can be hereafter, an object of such intense interest as it was to its European contemporaries. The progress of American colonization attracted, from the first, the gaze of the world. Reports were circulated far and wide of

the adventures and fortunes of the emigrants. The infinite wilderness into which they had plunged, wrapped as it was in mystery; the wild races of men and animals that roamed through it; and the magnificent scenery along its coasts and rivers, all conspired to inflame the curiosity, and bewilder the fancy, of the age. Men sent their thoughts over the wide Atlantic, towards the new and strange world, just risen beyond its waters, and every object was multiplied and magnified by the ocean-haze through which it was seen.

The slightest glance at the popular literature of the period, both in England and on the Continent, will show with what power the imaginations of men had seized upon the contemplation of America.

A most striking illustration of this is found in the attraction which seemed to draw multitudes, not merely of those whom oppression and want compelled to abandon their own country, but of the most wealthy and powerful families, from all the comforts and delights of home, over a dismal ocean into a still more dismal wilderness.

Those persons, especially, whose minds had been enlarged by speculating upon the capability of mankind for a better system of government and frame of society than had been experienced in the old world; who cherished nobler designs and higher hopes, before whose vision pictures of great-

er freedom and happiness, than were then enjoyed, were wont to pass; all the most enthusiastic philanthropists and patriots of the age, were deeply interested in the cause of American colonization. They looked upon America as the promised land, where humanity and religion would at last find rest; and, if forbidden to enter upon it themselves, they still rejoiced that they had been permitted to behold it.

The prevalence of this interest in America, throughout the best circles of society, explains the remarkable fact that the first emigrants, unlike those who usually expatriate themselves, were among the most enlightened persons of their times, men of genius, learning, and family. When our fancy represents the pilgrim passenger-ship, it is not crowded with the unfortunate, poor, and depressed classes of the community, but the most refined and accomplished specimens of the civilization of the age are before us. The venerable forms of scholars and philosophers of whom the world was not worthy, the pride of universities, cathedrals, and palaces, are there. In their mien and deportment, we discern the high-born and the nobly bred. In the strength of a holy purpose, and a sublime moral courage, they are cheerfully exchanging the lordly mansions and the splendid refinements of the old world, for the sufferings, privations, and dangers of the new.

It is the mingling of such characters with the obscurer colonists, that gives its peculiar charm to the first age of America. The accomplishments of an advanced state of civilization were thus made to blend with the ruder and sterner features of the wilderness life. The two extreme points of human progress were brought back into direct contact. The habits, which belong to the highest degree of refinement and to the most primitive and uncultivated condition of humanity, were at once exemplified in the same individuals. The studiously polished deportment of the period, when what is called the "old school" of manners was receiving its shape and form, was to be seen in log houses; and the same person whose evenings were spent in the studies of philosophy, learning, and religion, was engaged during the day in the midst of the forest, or floating in a bark canoe; toiling in those labors, which were the occupations of the rudest and most barbarous ages, the employments of the period, when

"Nature first made man,
And wild in woods the noble savage ran."

Some of these distinguished emigrants, such as the lady Arabella Johnson, the Higginsons, the Saltonstalls, the Winthrops, and the Endicotts, spent the remainder of their lives in the land of their voluntary exile; some, however, were arrested on their way, and prevented from accom-

plishing their design of removing to the new world, as was the case with the celebrated Mr. Pym, the immortal Hampden, Sir Arthur Haslerigg, Lord Say and Seal, Lord Brooke, and Oliver Cromwell himself; while others again, like Hugh Peters and the subject of this memoir, after a brief stay in America, were called home to the mother country, to devote their labors and lives to the great cause of liberty there.

CHAPTER II.

Sir Henry Vane. — His Parentage and Family Connexions. — Education. — Early Travels on the Continent. — Puritan Sentiments. — Removal to America.

THERE is something very remarkable in the manner in which the name of SIR HENRY VANE, who is now acknowledged to have been one of the greatest men his country ever produced, is passed over by the principal English writers. They occasionally make a brief and incidental allusion to his great abilities; and some of them give way to a momentary impulse of enthusiasm, when they speak of the manner of his death. Not one of them appears to be aware of his various and extraordinary public services; and they all unite in representing his virtues, whatever might have been their degree, as extinguished in what they are pleased to call his religious fanaticism. The consequence has been, that, while a vague and general feeling of admiration, brought down by tradition from one generation to another, has been associated with his name, but little has been known either of his actions or his merits. No attempt

has heretofore been made to trace his history, or delineate his character.*

When the reader shall have examined the extracts from his writings, and the events of his life, as they will be presented in this memoir, he will not be at a loss to explain the fact, that Vane has been thus overlooked by the historians. While his sincere and real republicanism placed him far above the sympathies of the profligate and hypocritical demagogues who struggled for power, under that name, during his day, it has also deterred the English patriots and reformers of subsequent

* A work was printed soon after Sir Henry Vane's death, which purported to be a biography. It did not deserve to be so considered, as it contained scarcely a single fact in illustration of his history, and was a mere rhapsody by a religious enthusiast. It was written by George Sikes, B. D., Fellow of Magdalen College, Oxford. We cannot wonder or complain, that those, who have received their idea of Vane from this book, should regard him as an unintelligible fanatic. The following is its Title. "The Life and Death of Sir Henry Vane, Kt., or a short Narrative of the main Passages of his earthly Pilgrimage; together with a true Account of his purely Christian, Peaceable, Spiritual, Gospel-Principles, Doctrine, Life, and Way of Worshipping God, for which he suffered Contradiction and Reproach from all Sorts of Sinners, and at last, a violent Death, June 14, Anno 1662. To which is added, his last Exhortation to his Children, the day before his Death. Printed in the Year 1662."

times, who have strangely dreaded the reproach of republicanism, from availing themselves of the benefit of his example. Sir Henry Vane's principles of universal toleration, and his unlimited liberality towards all religious denominations, deprived him of the sectarian support of the zealots of his own times. And as the spirit of party still unhappily prevails, and no one sect can claim Vane as a thorough partisan, he has been overlooked by them all; and a life and death, which exhibit as bright a manifestation of the power of Christian faith, as can be found in the modern history of the church, have thus been permitted to continue concealed from the view of its members.

But, in America, it cannot raise a prejudice against any name to associate it with the principles of republicanism or the spirit of toleration. It becomes us, therefore, to do justice to Sir Henry Vane. When once brought fairly and fully to the light, we shall find his name the most appropriate link to bind us to the land of our fathers. It presents, more perhaps than any that could be mentioned, in one character, those features and traits by which it is our pride to prove our lineage and descent from the British Isles.

The family of Vane was of the ancient nobility, tracing itself clearly back to the earliest dates of English history. Six generations are distinctly recorded before the battle of Poictiers in 1356,

when the honor of knighthood was conferred upon Sir Henry Vane, for his valiant behavior. After the lapse of several more generations, one of the branches of the family altered the name Vane to Fane, and gave rise to the noble house of which the Earl of Westmoreland is the present representative. The Vanes continued to figure conspicuously in the wars and in Parliament, until, in 1611, James the First knighted the father of the subject of this memoir.

Sir Henry Vane, the elder, was at that time twenty-two years of age. After finishing his travels, and completing his education in foreign languages, and the other learning of his day, he was elected to Parliament from Carlisle in 1614, and continued from that time, for more than thirty years, to exercise a controlling influence in the senate and the cabinet. King James appointed him Cofferer to Prince Charles, an office which he continued to sustain, after the latter had ascended the throne. He was also a member of his Majesty's Privy Council. In 1631, he went to Denmark as Ambassador Extraordinary, and shortly afterwards, in the same capacity, he visited the court of Gustavus Adolphus, King of Sweden. In both countries he concluded treaties of great importance to the commerce and power of England. He also acted a conspicuous part in military affairs. In 1633, and again in 1639, he

entertained King Charles with great splendor in his castle at Raby. In the last named year he was made Treasurer of the Household, and advanced to the highest seat in the administration, as his Majesty's Principal Secretary of State.

Such was the extraction, and such the parentage of Sir Henry Vane the younger. He was born in 1612, and was one of a very numerous family of children. Two of the brothers, Thomas and John, died young. George was knighted in 1640. Charles was distinguished as a diplomatist, in the times of the Commonwealth, particularly as Envoy to Lisbon. The eldest sister married Sir Thomas Pelham, ancestor of the noble families, which are now represented by the Duke of Newcastle, the Earl of Chichester, and Lord Yarborough. Another married Sir Robert Honeywood; another, Sir Thomas Liddal; and another, Sir Francis Vincent.*

It thus appears, that young Vane entered life under the most brilliant auspices. His ancestry, his father's position in the government, and the wide circle of his elevated family connexions, all seemed to assure him the easy attainment of every honor and enjoyment, which ambition could aspire to, or the love of pleasure covet.

There is nothing more inscrutable and mysterious than the causes, which determine the formation

* Biographia Britannica, art. *Vane.*

of character. When the whole career of Sir Henry Vane shall have been traced, and his principles, sentiments, and views fully presented, the reader will be inclined to regard with astonishment the fact, that such a history was commenced, and such a character formed, under circumstances so very unlikely to lead to them.

He was educated much in the manner then usual among youth of the principal families. At the college school at Westminster, he was under the tuition of Mr. Lambert Osbaldeston, an eminent instructer; and in the list of his fellow-pupils are to be found the names of many, who distinguished themselves in the extraordinary and memorable crisis upon which England was then just entering. If we may adopt the severe judgment he passed against himself, it may be inferred, that, in his early youth, he was more than commonly giddy, wild, addicted to pleasure, and fond of "good fellowship." But such were the elements of his character, that he could not long continue in an indolent, trifling, and thoughtless career; and, about the fifteenth year of his age, an entire change took place in his views and feelings, and thenceforth he devoted himself to those subjects and interests for which his strong and excellent mind was naturally adapted. "God was pleased," to use his own expression, "to lay the foundation or ground-work of repentance in him."

From that moment, the truths of religion, and the cause of human happiness, freedom, and virtue, became the predominating objects of his regard and pursuit; and seldom have they had a purer, a more sincere, an abler, or a more faithful, advocate and champion.

At sixteen years of age, he became a gentleman-commoner of Magdalen College in Oxford. The direction towards theological studies and religious meditations, given to his mind some time before, had already so far alienated him from the form of worship and doctrine established by law, that when the period of his matriculation arrived, he quitted his gown, declined to take the oath of allegiance and supremacy, and thus forfeited his membership at the University. Leaving Oxford, he passed over to the Continent, visited Holland and France, and spent some time in Geneva.

It is not to be doubted, that while on the Continent, particularly during his residence in the celebrated theological city just named, his taste for doctrinal speculations and spiritual exercises was increased, his disapprobation of the ecclesiastical condition of his own country heightened, and his original religious impressions so confirmed, that they became the controlling principles of his whole future life.

The views and feelings of such a man as Vane, rendered interesting by his talents, learning, vir-

tues, and youth, to the extensive and elevated society in which he moved, could not long remain unknown or unnoticed. The rumor of his disaffection soon became current. The King was informed by the bishops, vigilant in collecting, and prompt in communicating such information, that the heir of a distinguished and important family, nearly connected with the throne, had conceived a dislike of the discipline and ceremonies of the Church of England; and his Majesty was advised to take measures to recover him to the cause of the establishment. The celebrated and unfortunate Laud, then Bishop of London, was hereupon directed to expostulate with the youthful Puritan, and convince him of the error of his ways. The experiment resulted in a complete failure. When the Bishop found that there was but little chance of prevailing in the argument, he brought the conference to a close, with a degree of violence and harshness, which, however characteristic of the temper of that haughty, rash, and passionate prelate, had no tendency to diminish the disaffection of Vane towards the church, of which Laud was the representative, and for many years the leading administrator.

These circumstances occasioned much excitement and considerable comment at court, and in the higher circles of English society. Sir Henry Vane, the elder, who was a leading member of

his Majesty's Privy Council, and at that time strongly opposed to the cause of dissent, was of course very much disturbed by the sentiments his son had adopted.

With a view, it is probable, to relieve his father from the embarrassment of his situation, young Vane formed the resolution of removing from the country. In choosing the scene of his voluntary exile, his eyes turned towards the Puritans of America, with whose religious institutions and principles he could more readily and largely sympathize, than with those of any other portion of the Christian world. At first his father was opposed to the plan, but afterwards yielded at the instance of the King, who was decidedly in favor of the removal.

CHAPTER III.

Reception in Massachusetts. — Chosen Governor. State of Parties. — The Arrangement with the English Captains. — The Affair of the King's Ensign. — Slight Connexion between the Colonies and Mother Country. — Governor Vane's Entrance into Salem. — Conference with Indian Chiefs.

Mr. Vane reached Boston, in New England, in 1635, and was admitted to the freedom of the colony on the 3d of March of that year.

It was regarded as a circumstance of no common interest, that the son and heir of one of the most powerful men in the kingdom, and a principal minister of state, should, at such an age, after visiting foreign capitals, and witnessing all the splendors and enticements which the gay and brilliant world holds out to persons of his rank and condition, voluntarily retire to the obscure colony of Massachusetts, and choose the simplicity, austerity, and self-denial of the Puritans, before all that courts and palaces could offer.

The colonists were naturally prepared to receive him with open arms; and their regard and attachment were increased as they became per-

sonally acquainted with him. His interesting demeanor, grave and commanding aspect, and extraordinary talents; but, above all, his extensive theological attainments, entire devotion to the cause of religion, earnest zeal for its institutions, and the unaffected delight with which he waited upon its ordinances and exercises, won the admiration, love, and veneration of the pious Puritans.

After a short residence in the country, in 1636 he was elected Governor of Massachusetts, being at that time twenty-four years of age.

His administration was brief, stormy, and perplexing. Many circumstances conspired to produce this result. His recent arrival in the colony, his youth, and the extraordinary zeal with which he had been taken up by the people, occasioned jealousy and prejudice, as was natural, in the minds of many. It was owing to this cause, more, perhaps, than to any other, that a party was arrayed against him at the outset, which embarrassed his government at every step, accumulated difficulties around him, and finally drove him from power.

Historians have found it no very easy task to interpret and explain the incidents and influences, which operated at that period in the annals of Massachusetts. The people, always prone to controversies and collisions, seem to have been more than ever divided and torn by factions and

intrigues. In order completely to disentangle their affairs, it would be necessary to enter into a very minute and comprehensive examination of their history and condition. It will not be expected or desired by the reader, that any thing more should be attempted in this memoir, than what may be necessary to illustrate the character of Governor Vane.

Notwithstanding the opposition, which was so promptly organized against him, and the facilities afforded it in his youth and inexperience, — topics of great fertility to those who had an interest in enlarging upon them, — it is very probable that he would, after all, have administered the government with acceptance and success, had it not been for a most extraordinary religious controversy, which was then beginning to engage the minds of the people, and continued for years to shake and convulse the whole system of their society and government, both in church and state.

With the exception of Governor Vane's connexion with this controversy, I do not know why his administration may not challenge a comparison with that of any of his predecessors or successors. And although it was indeed disastrous to his popularity, and destructive of his power in the colony, it will probably now be granted, that his agency in that controversy was such as to deserve the admiration of the friends of civil and

religious liberty. He contended for principles, which the world had not then reached; and he met the fate which always attends those, who venture to struggle against the prejudices of their age.

In his discharge of the ordinary duties of the station of chief magistrate, he manifested a firmness, energy, and wisdom truly remarkable in one of his early age and previous history. He adapted himself readily to his situation, made himself acquainted with the interests and relations of the colony, and concerted the operations of the government, which, in reference to the Indians, were particularly interesting at that period, with promptitude, skill, and effect. Although surrounded by men of experience, age, learning, and ability, he never appeared at a disadvantage. In the abstruse, intricate, and profound discussions, which occurred during his administration, embracing as they did the most perplexed questions of theological metaphysics, he bore his part, in a manner which places him on a level with the first divines of that age, and merited the praise of "wisdom and godliness," which his honorable, excellent, and illustrious competitor and successor, Governor Winthrop, magnanimously bestowed upon him.

In sketching the history of his administration, I shall confine myself to its most important incidents.

When his election to the office of governor was announced, it was received by the people with the greatest enthusiasm, and, in addition to the other demonstrations of popular satisfaction, a salute was fired by the shipping in the harbor. There were, at that time, fifteen large vessels in port. It occurred to the leading men of the colony, that the presence of such a large force of foreign vessels was in itself a formidable and disagreeable circumstance in the condition of a feeble settlement, which could not rely upon the sympathy of the mother country, any more than it could upon the friendship of other powers. It was also obvious to every reflecting person, that the influence of the manners and habits of the officers and men of these ships could not be other than injurious to the morals and social condition of the inhabitants of the town.

The first act of Governor Vane's administration was to prevent the evils, that threatened to spring from this source Within a week after assuming the government, he accordingly took measures with this view, which illustrate his tact in affairs, and his skill and success in managing men. He invited all the captains of the ships to dine with him, and availed himself of the opportunity to lay the whole case before them. The conversation was conducted with so much frankness, and in such a friendly spirit that the captains consented, readily

and cheerfully, to the following agreement. First, that all inward bound vessels should come to anchor below the fort, and wait for the Governor's pass before coming up to the town. Secondly, that before discharging their cargoes, their invoices should in all cases be submitted to the inspection of the government. And thirdly, that none of their crews should ever be permitted to remain on shore after sunset, except under urgent necessity.*

An incident occurred soon after his induction into office, which is perhaps worthy of relation, as illustrative of the character of the men and the times, and also of the difficulty of preserving harmony in the councils of the government, even with reference to matters of the smallest possible intrinsic importance.

The mate of a British vessel, called the Hector, then laying at anchor in Boston harbor, in the excess of his patriotic indignation because the King's colors were not displayed at the fort, declared on the deck of his vessel, and in the presence of many of the inhabitants of the town then visiting her, that the colonists were all "traitors and rebels." The harsh expression was quickly communicated from the vessel, and circulated through the town, occasioning a violent excite-

* WINTHROP'S *History of New England*, Savage's ed., Vol. I. p. 187.

ment against the mate. So high did the feeling run, at last, that it became necessary for the authorities to take cognizance of the matter. Governor Vane accordingly sent for the captain of the ship, and, after acquainting him with the affair, despatched a marshal, accompanied by other officers of the law, to arrest the offender. The crew, however, refused to deliver up the mate in the absence of the captain. The captain then accompanied the marshal to the vessel, and the mate was surrendered to the civil authorities, to whom he made an ample and satisfactory apology. When the dignity of the colony had thus been vindicated, the Governor, perceiving that the transaction had created some sensibility among the officers of British vessels in the port, and wishing, by a friendly conference, to restore them to good humor, requested them to express freely their views and feelings on the occasion.

They observed, in reply, that perhaps the circumstances might be made known to the authorities in England, and represented in such a manner as to create a prejudice against the colony, and bring its loyalty into suspicion; and that, therefore, as friends of the colony, it would be very agreeable to them, could they be enabled to say that they had seen the King's colors flying in Boston.

Fair and reasonable as this request seems, it would have been impossible for the captains to contrive a more effectual dilemma for the poor Puritans. On the one hand, it was clear, that, for a colony, holding its very being under a charter from the crown, to refuse to acknowledge the King's sovereignty by displaying his flag, and that too when it was requested for the purpose of rescuing its loyalty from misrepresentation, would look like a very unreasonable procedure, and almost seem to justify the expressions for which the mate had been humbled and punished. Then, on the other hand, it would have filled the whole country with horror, had the flag been hoisted; for on that flag was represented the PAPAL CROSS, which was an abomination no Puritan could bear; and Endicott himself, whose daring hand had just torn it from the royal ensign, was one of the board of magistrates, who were so politely requested to hoist that very ensign, cross and all.

It was indeed a sad and painful alternative, and called for all the ingenuity, which had even then become a marked New England attribute. Fortunately they were enabled to avoid both horns of the dilemma, and, for a while, to escape the point upon which the captains were endeavoring to drive them, by saying that they could not hoist

the King's flag, because there were no such colors in the whole colony.

I cannot refrain from suspending the thread of the narrative for a moment to remark upon the very curious circumstance, that not a single royal ensign could be found in Massachusetts in 1636. It indicates the substantial independence of the colony at that early period. It did not attract the notice, and was therefore out of the reach, of the royal power; and not merely of the royal power, but of the very insignia of that power. The people would not have any thing among them which would tend in the least degree to remind them of the throne or the hierarchy.

When, in the course of the present year (1834), a British vessel of war arrived in the harbor of Salem, in Massachusetts, and it was proposed, according to international usage, to observe the civility of displaying from the vessel the flag of the United States, and from the town the flag of Great Britain, it was found necessary to borrow colors for the occasion from the British vessel herself.

This circumstance was noticed as indicating the absence of all relations between the port of Salem and Great Britain, at the time of its occurrence. A similar indication was given, as just related, in 1636; and the inference is more than fanciful, it is just and obvious, that the actual connexion be-

tween the colony of Massachusetts and the mother country, at the beginning, was scarcely greater than that of the town of Salem with England at the present day.

But to return to the affair of the conference. The captains, prompt in removing every difficulty, offered to lend or to give a set of the King's colors to the colony to be displayed on the occasion. All chance of escape being thus shut out, the magistrates met the question fairly, and returned this reasonable answer to the request of the ship-masters, that, although they were fully persuaded that the cross in the colors was idolatrous, yet, as the fort belonged to the King, they were willing that his own flag should fly there. The matter being thus apparently adjusted to the satisfaction of the parties, the conference was brought to a close.

The case was submitted that evening, as was then the practice of the government on all important and difficult questions, to the consideration of the clergy, and the proceedings of the court did not meet their approbation. It was thought that the magistrate had erred in permitting the King's flag, that badge of Romish superstition, to be displayed over Puritan soil, upon any terms whatever. The court was accordingly again assembled, and the captains were summoned to appear next morning. The previous doings of the board were

reconsidered, and a majority of the magistrates voted to refuse the request of the captains. Governor Vane, although a conscientious Puritan, could not sympathize with such proceedings. They appeared to him to be not only inconsistent and capricious, but absurdly overscrupulous; and, supported only by Mr. Dudley, he withstood the rest of the magistrates, and contended that the request of the captains ought to be granted. The court, however, obstinately adhered to their last determination, and the flag was finally displayed without the authority of the government, and on the personal responsibility of Mr. Vane and Mr. Dudley.*

This was the first open manifestation of the opposition to Governor Vane, which continued to increase until, availing itself of the fury of a theological controversy, it finally brought his administration to a close. So far as the character of the conflicting parties is to be inferred from the transaction just related, it is impossible not to recognise

* Savage's edition of Winthrop, Vol. I. p. 187. The reader will find the substance of Governor Winthrop's Journal in Hubbard's "General History of New England," which constitutes the fifth and sixth volumes of the Massachusetts Historical Collections, Second Series. I shall not refer to Hubbard in cases where Winthrop was his authority. In such cases the reference will be solely to Mr. Savage's excellent edition of Winthrop.

a more liberal and enlightened spirit in Vane and Dudley, than was manifested by the other members of the court. The jealousy which had for some time actuated the leading men towards Mr. Vane, and their hostility to his principles, gave a prevailing direction to their course on this occasion, which can no otherwise be explained. Nothing but the disturbing influence of sentiments of this sort, could have induced such a man as Winthrop to oppose the governor, on the strength of a scruple so far-fetched and excessive, as that which led him to join with others in refusing to recognise the King's authority in his own dominions, on his own fort, by an innocent ceremony, which was requested for the avowed purpose of preserving peace and harmony, and prevented a misunderstanding between the colony and the people of England, under circumstances that would certainly have been highly injurious, and might have become utterly ruinous, to the former.

Still, notwithstanding the prejudice which had gained such an influence over the minds of many of the leading men, the governor continued to be extremely popular throughout the colony. Early in July he started on a tour through the towns on the northern and eastern part of the Bay, and made his public entrance into Salem on the 9th. Unfortunately we have no records of the great event, as it was doubtless regarded by the peo-

ple of that ancient town. It is not difficult however to imagine with what enthusiastic interest they must have welcomed their youthful chief magistrate, honored by his illustrious connexions, but still more, in their eyes, by his unrivalled attainments in those branches of Christian knowledge and experience, which constituted the crowning glory of a Puritan.

In the absence of authentic records, we may be indulged for a moment in picturing the scene as fancy and probability would delineate it. He was, no doubt, greeted, as he crossed the line on the old road from Lynn, in the name of the inhabitants of the City of Peace, by some one of its eminent citizens. As the pageant moved along through the winding street of the quiet village, an unusual commotion was discerned. All eyes were gazing, and all hearts were stirred. Old men and matrons, young women and children of every age, were thronging round the door-stones, and gathered at the windows, before which the procession pursued its line of march. And even the savages, from the neighboring woods, were seen at intervals watching the passing show, and gazing at the strange spectacle, with a curiosity and interest, which were but poorly concealed beneath their constrained and sullen silence, and elaborately cultivated apathy of manner.

As the column advanced, the first division that appeared was composed of the able-bodied men of Salem and the neighboring towns, armed, arranged into ranks, and discharging the honorable duty of an escort. Then followed the civil fathers of the place, the Endicotts and the Hathornes; and then the Governor, preceded by his halberdiers, and followed by his suite; after them the principal inhabitants of the town, the Downings, the Bishops, the Sharps, the Higginsons, the Browns, and the Pickerings; and a promiscuous assemblage of persons, gathered from the surrounding country, brought up the rear.

The Governor was invested with all the interest which birth, rank, accomplishments, and office could impart; and we may fancy to ourselves the admiration with which he was received to the hospitalities of the place. We cannot doubt that every door was thrown open to receive him. It is probable that he took up his quarters in the family of Endicott. All Salem thronged, that day and evening, to express their salutations. The aged and the grave revered him for his virtues and his piety; and, when we consider that he was in the bloom of early manhood, and remarkable for his personal graces, and that it was, moreover, understood that his heart was as yet unpledged, we may be authorized to consider it more than possible that he was regarded by some with

a still livelier interest. Salem had even then established the character, which its fair daughters have ever since preserved. One of the sons of Winthrop had already been captivated by the charms of an Endicott. But great and potent as is the *witchery* of the place, the young ruler of the people, on this occasion, resisted its spell. He was armed and entrenched within the engrossing cares of state, and the higher interests of the church.

Soon after his return to Boston, the occurrences commenced, which brought on the Pequot War. It is not necessary to the ends of this memoir to relate them at length. By the combined influence of Vane and Williams, many of the Indian tribes were withheld from joining in hostilities against the English. On the 24th of August, Endicott sailed on his expedition to Block Island, from which he returned on the 14th of September, having gained some trifling advantage over the enemy, without suffering any loss on his part. On the 21st of October, the Sachem of the Narragansetts came to Boston, on the invitation of Governor Vane, accompanied by two sons of Canonicus, Cutshamakin, another sachem, and twenty other Indians. These noble sons of the forest were received with great civility and treated with marked attention. They dined in the same room with the Governor, and held a

long and friendly conference with him, the result of which was a treaty of peace and amity with the English. When the object of their visit was accomplished, they marched back to their native wilds, having been attended to the borders of the town by a file of soldiers, who gave them a salute at parting, by discharging a volley of musketry.*

* Savage's edition of Winthrop, Vol. I. p. 198.

CHAPTER IV.

Antinomian Controversy. — Religious Opinions of the Colonists. — Mrs. Anne Hutchinson's Arrival in Boston. — Her Weekly Meetings for Females. — Regarded with Jealousy. — Accused of Heresy. — Violent Contentions on her Account. — Her Tenets and Conduct. — Her Character.

In the latter part of the summer, letters were received from Governor Vane's family in England, urgently pressing his immediate return to that country. He laid them before the Council, together with a request to be permitted to resign his office forthwith. But such obstacles were thrown in his way, particularly by the remonstrances of the Boston Church, of which he was a member, that he felt constrained to abandon his purpose, and continue in the government until the expiration of the year.

In the mean time the celebrated Antinomian controversy was reaching its crisis in the colony, and had already swept away every other interest from the feelings and thoughts of the people.

The religious opinions of the first generation of Pilgrims were mostly of the same stamp. The

doctrines, as professed by the Reformed churches, were received with almost unanimous consent in New England. And although the principles of Protestantism were held in deserved reverence by the people, they did not in all instances act up to them, but were liable to the inconsistency, which has more or less marked all Protestants. They permitted themselves to regard with very great jealousy and aversion the exercise of free inquiry, whenever it threatened to lead to results different from their own.

It seems to have been the custom in Boston for the brethren of the church to meet every week for the purpose of impressing still more deeply upon their minds the discourses and other exercises of the previous Lord's day.

During the administration of Governor Vane, Mrs. Anne Hutchinson arrived from England, and became a member of the church. Her husband was a gentleman of respectable standing, and her brother-in-law, Mr. Wheelwright, sustained a most estimable character as a Christian minister.

It was the fortune of this remarkable woman to raise a contention and kindle a strife in the infant commonwealth of Massachusetts, which has secured to her name a distinction as lasting as our annals, and rendered her the heroine of a passage in our history, as wonderful, and curious, and tragical, as any it contains. She was possessed of

extraordinary talents, information, and energy. Her mind was prone to indulge in theological speculations, and the happiness of her life consisted in religious exercises and investigations. She was perfectly familiar with the most abtruse speculations of the theology of the day. In keenness of perception and subtilty of reasoning she had no superiors, and her gifts as a leader of devotional exercises were equally rare and surprising. Soon after her arrival in Boston, following out the custom already mentioned, she instituted weekly religious meetings for females; and so attractive and interesting did they quickly become, that almost all the ladies in the place attended them. The exercises were conducted and superintended by Mrs. Hutchinson, and it followed, as a matter of course, that she exerted a controlling and almost irresistible influence upon the whole community.

It needed but a slight acquaintance with human nature to foresee, that such a meeting would necessarily occasion a considerable degree of jealousy, particularly among those who were not permitted to take part in it. It was impossible, for instance, to prevent a feeling of uneasiness in the minds of the clergy. They were accustomed to exercise an influence upon public opinion and the course of affairs, which it is difficult for us, at the present day, either to estimate or imagine.

And they could not but look with disapprobation upon the institution of a custom, which brought a power to bear upon the religious feelings and views of the people, irresponsible to them, and wholly out of their control; and which threatened to place beyond their reach that portion of the community, upon whom their authority has sometimes been considered as chiefly resting.

There was some reason, on the part of the clergy, to apprehend that the more shining gifts of Mrs. Hutchinson might give rise to comparisons not of the most agreeable kind; and it is by no means improbable, that neither she, nor the ladies who frequented her meetings, were so prudent and discreet as they might have been in their remarks. It is too often forgotten, even by those who have the kindest feelings themselves, and who delight in promoting kind feelings among others, that comparisons are generally odious and sometimes extremely mischievous.

Whatever may have been the cause, it was soon apparent that the meetings of the ladies, and particularly Mrs. Hutchinson's deportment and proceedings in them, were regarded by many with very great suspicion and displeasure. And it can hardly be denied by her most strenuous defenders, that she gave too much occasion for such feelings. Her course, which, however well intended, was from the beginning rather unbecoming

that sex upon whose lips, however eloquent and persuasive, the great Apostle has imposed silence in public, and whose influence may be more legitimately exerted in retired and quiet methods, and, when thus exerted, defies the control of either magistrates, priests, or apostles themselves, soon degenerated into all the personalities of a heated controversy. She availed herself of her weekly audience to utter disparaging criticisms upon the discourses of the preceding Sunday or Lecture-day, to circulate insinuations against the learning and talents of the clergy, and even to start suspicions respecting the soundness of their preaching.

It is not to be imagined, that a people, who carried their esteem for their ministers beyond the degree to which it was well and richly merited by that learned, pious, and excellent class of men, to a measure of veneration and reverence altogether unreasonable and excessive, would long remain passive under such proceedings; a most violent opposition was soon raised against the meeting, and Mrs. Hutchinson became the object of the bitterest hostilities, not only on the part of the ministers, but also on that of the magistrates and leading men throughout the colony. Their animosity expressed itself, as is usual in such cases, under the form of accusations of heresy; and a regular controversy was soon fairly developed, which,

of course, led to crimination and recrimination, introduced innumerable questions of doubtful disputation, and finally wrapped the whole country in the raging and consuming flames of a moral and religious conflagration.

If the attention of the government, and the proceedings of the clergy had been confined to Mrs. Hutchinson's real offences against the rules of decency and propriety, and she had been held to answer for disorderly, mischievous, and slanderous speeches against the theological and personal characters of the ministers, there could have been no difficulty in destroying her power to do evil, by exposing her conduct to the disapprobation of every discreet and respectable member of the community. On this point she was in the wrong, and might have easily been shown to be in the wrong. But the propensity of the age could not be restrained. It was determined that Mrs. Hutchinson should be treated as a criminal of the deepest dye; and what was then regarded as the darkest crime in the catalogue of depravity was imputed to her. It would not be enough to proceed against her as a contentious and busy calumniator, as a disturber of the peace; nothing would satisfy them short of prosecuting her as a HERETIC.

She was accordingly accused of inculcating false doctrine; and from that moment the whole affair became perplexed, and promotive only of

deeper and wider confusion, the longer it was pursued. The party aggrieved lost its vantage-ground; Mrs. Hutchinson became the object of sympathy; her doctrine could be defended better than her conduct; and all must be inclined to yield her the palm in the controversy. In consequence of their thus putting the issue upon the wrong ground, the clergy and government have met with nothing but the shame and disapprobation of posterity, for persecuting, on account of her opinions, one who, in some parts of her conduct, might justly have been considered and treated as an injury and a nuisance to the community.

One of the favorite topics of Mrs. Hutchinson (whether it was selected with a design, at the beginning, of diminishing the confidence of the people in their ministers cannot now be determined,) was this. She dwelt very often and very largely, in her usual preaching, on the proposition, that the existence of the real spirit of the Gospel in the heart of a man, even if that man should happen to be a minister of extraordinary gifts, could not be inferred with certainty from the outward displays of sanctity. To this sentiment, considered in the abstract, there was surely nothing to object. It was a mere paraphrase of the language of the Apostle, who plainly intimated that a man may speak with the tongue of angels, and have the gift of prophecy, and understand all mysteries

and all knowledge, and have all faith so as to remove mountains, and bestow his goods to feed the poor, and give his body to be burned, and still be nothing in a religious and spiritual view. And the Savior himself says that men may prophesy, and cast out devils, and do many more wonderful works in his name, and be rejected and disowned by him at last.

But it was soon suspected, and it is to be feared upon too good grounds, that Mrs. Hutchinson was aiming at a particular object in dwelling so pointedly and so much upon this proposition. And when it once became a prevalent opinion that she was actuated by personal designs, it can be easily conceived how intolerably provoking her discourses must have been. It was a period of great formality and austerity in religion. The outward manifestations of piety were much greater than they have been since. Every minister and every professor of religion was expected to give evidence in his whole manner of life, in his most familiar conversation, in his movements, dress, countenance, and even in the tones of his voice, that he was not of the world. It followed of course, for it would have been unjust had it not, that the evidence thus demanded by public opinion was very much relied upon by the people. The praise of holiness and spirituality was freely

and confidingly bestowed upon the sanctimonious and austere. But Mrs. Hutchinson's doctrine cut up the whole matter by the roots, destroyed the very foundation upon which reputation had been made to rest, poisoned the fountains of confidence, and, in consequence of the personal and satirical design imputed to her, had a direct tendency to make men suspect of hypocrisy all whom they had before been disposed to revere for their piety.

The misfortune was, that, instead of proceeding against her with a view of ascertaining whether her motives were such as many imputed to her, and her design, to depreciate and degrade, in the public estimation, respectable and worthy individuals, which, if distinctly and adequately proved, would have effectually destroyed her ability to do further mischief, it was thought best to transmute the charge into an accusation of heresy, and she was prosecuted for maintaining (to use the formal terms in which the complaint was laid) that *sanctification* is no evidence of *justification!*

To convey an idea of the form in which the controversy was conducted, the origin of the difficulty, the charges alleged against Mrs. Hutchinson and her followers, and the spirit of the parties, I will present to the reader the following extract from a pamphlet entitled "A short Story of the Rise, Reign, and Ruin of the Antinomi-

ans, Familists, and Libertines, that infected the Churches of New England," and ascribed to a clergyman of great influence at the time.*

"But the last and worst of all, which most suddenly diffused the venom of these opinions into the very veins and vitals of the people in the country, was Mistress Hutchinson's double weekly lecture, which she kept under a pretence of repeating sermons, to which resorted sundry of Boston and other towns about, to the number of fifty, sixty, or eighty at once; where, after she had repeated the sermon, she would make her comment upon it, vent her mischievous opinions as she pleased, and wreathe the Scriptures to her own purpose; where the custom was for her scholars to propound questions, and she (gravely sitting in the chair) did make answers thereto. The great respect she had at first in the hearts of all, and her profitable and sober carriage of matters, for a time, made this her practice less suspected by the godly magistrates and elders of the church there, so that it was winked at for a time, (though afterwards reproved by the Assembly and called into court,) but it held so long until she had spread her leaven so far, that, had not Providence prevented, it had proved the canker of our peace, and ruin of our comfort.

* The Rev. Thomas Weld, of Roxbury.

"These opinions being thus spread, and grown into their full ripeness and latitude, through the nimbleness and activity of their fomenters, began now to lift up their heads full high, to stare us in the face, and to confront all that opposed them.

"And that which added vigor and boldness to them was this, that now by this time they had some of all sorts and quality, in all places, to defend and patronize them; some of the magistrates, some gentlemen, some scholars and men of learning, some burgesses of our General Court, some of our captains and soldiers, some chief men in towns, and some men eminent for religion, parts, and wit. So that, wheresoever the case of the opinions came in agitation, there wanted not patrons to stand up to plead for them; and if any of the opinionists were complained of in the courts for their misdemeanors, or brought before the churches for conviction or censure, still some or other of that party would not only suspend giving their vote against them, but would labor to justifie them, side with them, and protest against any sentence that should pass upon them, and so be ready not only to harden the delinquent against all means of conviction, but to raise a mutiny, if the major part should carry it against them; so in town meetings, military trainings, and all other societies, yea, almost in every family, it was hard, if that some or other were not ready to rise up

in defence of them, even as of the apple of their own eye.

"Now, oh their boldness, pride, insolency, and alienations from their old and dearest friends, the disturbances, divisions, contentions they raised amongst us, both in church and state, and in families, setting division betwixt husband and wife!

"Oh the sore censures against all sorts that opposed them, and the contempt they cast upon our godly magistrates, churches, ministers, and all that were set over them, when they stood in their way!

"Now the faithful ministers of Christ must have dung cast upon their faces, and be no better than legal preachers, Baal's priests, Popish factors, Scribes, Pharisees, and opposers of Christ himself!

"Now they must be pointed at, as it were with the finger, and reproached by name. Such a church-officer is an ignorant man, and knows not Christ; such a one is under a covenant of works; such a pastor is a proud man, and would make a good persecutor, &c.

"Now, after our sermons were ended at our public Lectures, you might have seen half a dozen pistols discharged at the face of the preacher (I mean, so many objections made by the opinionists in the open assembly against the doctrine delivered, if it suited not their new fancies), to the marvellous weakening of holy truths delivered.

"Now you might have seen many of the opinionists rising up, and contemptuously turning their backs upon the faithful pastor of that church, and going forth from the assembly when he began to pray or preach."

When we consider that what is charged in these extracts upon one side was probably true of both, it will be apparent that nothing but evil resulted from the attempt to proceed against Mrs. Hutchinson on account of her doctrines rather than her conduct. It raised up defenders of those doctrines everywhere throughout the colony, and agitated and disturbed every church and family in the province. It brought a curse upon the whole country.

We also learn from the above dolorous account, that religious controversies, at the present day, are mere trifles compared with what they were in the good old time. In this particular a great improvement has certainly been made. It is better, *perhaps*, not to go to meeting at all, than to get up and walk out so soon as the minister begins to preach or to pray; and whatever troubles take place at our "trainings," they never arise from excess of religious zeal.

As the controversy waxed warm, new points were developed, new aspects of the question presented, and new terms introduced; so that, to a superficial observer, the whole affair soon became

enveloped in impenetrable clouds of technical phraseology and unintelligible distinctions. The consequence has been, that our historical writers, despairing of explaining the dispute, have too generally passed it over as an unmeaning and absurd strife about words, altogether unworthy of the regard of posterity. The truth, however, is, that there has but seldom been a dispute merely about words. Men have almost always meant something, and have understood what they meant, in every matter, about which they have been zealously affected. In the case before us, for instance, principles of the highest consequence were involved, much light was elicited, and a great progress made by some of the parties in Christian knowledge. It is due to the fame of our ancestors, particularly of the subject of this memoir, to rescue the controversy now under consideration from the charge of being a ridiculous and stupid war of words, and to vindicate the claim it justly presents to the character of a dignified and important discussion.

The natural tendency of disputants to push each other to extremes was fully exemplified on this occasion. From the proposition that the outward expressions of sanctity are not infallible evidences of the inward residence of the Christian spirit, Mrs. Hutchinson was driven to speak disparagingly of external and visible morality, and her opponents to assign too high a value to it;

until the two watchwords or countersigns of the controversy became, in theological phrase, "a Covenant of Faith," and "a Covenant of Works."

Mrs. Hutchinson, either because there was a corresponding peculiarity in his preaching, or by an adroit stroke of policy, with a view of securing the support of the most powerful minister in the colony, used to attempt to explain what her distinguishing principle was, by saying that Mr. Cotton preached a covenant of faith, but that the other ministers were under a covenant of works.

Whether it was because this ingenious and extraordinary woman had discovered and touched Mr. Cotton's weak point, in the comparison thus instituted between him and his brethren, or whether it was from a sincere and original preference of her views, certain it is that he continued to be her faithful and zealous champion to the termination of her residence in Massachusetts.

But while the comparison was flattering to Mr. Cotton, it was irritating in the extreme to the rest of the ministers. Their friends coöperated in inflaming their indignation by loudly expressing their own; and their enemies rejoiced in circulating the injurious imputation. The sympathetic ebullition of wrath was propagated from one to another, until the whole country was up in arms, as it were, against her who had dared to asperse the clergy. Every faithful parishioner felt that a

blow aimed at his minister inflicted a wound upon his own character. But in the general indignation none felt or manifested more sensibility to the aspersion than Mr. Wilson, the colleague of Cotton in the Boston Church. The keen and insidious comparison bore more immediately upon him, and cut him to the quick; and he did not always restrain his angry zeal against Mrs. Hutchinson and her adherents within the bounds of a decent propriety.*

Another opinion was imputed to Mrs. Hutchinson in the course of the controversy, and probably with justice, which alarmed the faith of the churches still more, as well it might, than the one already mentioned. It was this; that the Holy Spirit dwells in every believer. She held that by the expression Holy Spirit, or Holy Ghost, as used in the Scriptures, is meant such an actual communication of the Spirit of God to the believer's heart, that it becomes the abode of those sentiments of love, truth, purity, and piety, which bear the impress of a divine source, and constitute those who experience them sons of God, partakers of the divine nature, and one with God, as the Savior was one with him. As this idea was sifted during the course of the controversy, it became apparent that it would necessarily end in

* Hutchinson's *History of Massachusetts*, Vol. I. p. 62, *note*.

the belief that the Holy Spirit was not so much a divine person as a divine influence; and the dread which was entertained of such a consequence increased very much the general impatience to bring the controversy to a close as speedily as possible. Winthrop, in his Journal, informs us, "that the question proceeded so far by disputation (in writing, for the peace' sake of the church, which all were tender of,) as at length they could not find the person of the Holy Ghost in Scripture, nor in the primitive churches three hundred years after Christ." *

After ascertaining what was meant by Mrs. Hutchinson's proposition, that the Holy Ghost dwells in the hearts of believers, we can more easily do justice to her other opinions. It is probable that her views are substantially expressed in the following description.

She believed that it was the dwelling of the Holy Spirit in the believer's heart, that is, the possession and exercise of the pure and genuine and divine spirit of Christianity in the soul itself, which constituted justification, or made a person acceptable to God; that the external and formal indications of piety, or sanctification, might appear where this inward spirit was not experienced, and that in such cases they were utterly worthless;

* Savage's edition of Winthrop, Vol. I. p. 206.

and that the great end of the religion revealed in the Scriptures was not so much to make our conduct or outward deportment correct, or bring us under a covenant of works, as to include us under a covenant of grace by imparting to our souls the Holy Spirit of God.

However unpalatable such doctrines were in a formal and sanctimonious condition of society and manners, they would probably meet with a hearty response from enlightened Christians of all denominations at the present day. It is indeed wonderful, that a female in Mrs. Hutchinson's circumstances, placed beyond the reach of every influence that might be thought necessary to lead to such results, encompassed by the privations of a wilderness and the cares of a young and numerous family, could have made such an advance beyond the religious knowledge of her age. It is indeed impossible, whatever may be thought of her deportment in other views of the case, not to admire her genius, skill, firmness, and perseverance. And when we think of her sufferings, and of the bloody tragedy, which brought those sufferings to a close, we must acknowledge that her character and history are invested with an interest which is scarcely surpassed by that of any of her sex in the annals of the world.

The opinions broached by Mrs. Hutchinson, in consequence of which such a great disturb-

ance arose throughout the colony, have been particularly mentioned, partly, as I have already observed, as a matter of justice to the generation which debated them. It has been the practice to ridicule the whole affair, and to express astonishment that men of sense and learning could ever have been engaged in it. But this is a very incorrect as well as unfair view of the case. It is true, indeed, that the theological technology of the discussion is, at the first glance, obscure enough, but it is not mere verbiage or jargon. When we remove the outer covering of scholastic terms of disputation, and ascertain the real sense, which to our eyes they conceal rather than display, we shall find, that it was not by any means an unmeaning or an unimportant controversy. The questions at issue embraced the primary and essential principles of Christianity, and, under one form or another, have constituted the leading topics of investigation and debate in every age of the church, from the gathering of the first general councils in the primitive centuries to the present hour, and have been the favorite subjects of meditation and inquiry to the most enlightened, comprehensive, and spiritual minds of every Christian communion.

CHAPTER V.

Vane an Adherent of Mrs. Hutchinson. — Crisis of the Controversy. — Colonial Election. — Vane superseded. — Supported by Boston. — One of the earliest Advocates of Religious Liberty. — Eulogized as such by Mackintosh. — Colonial Legislature adverse to the Rights of Conscience. — Views of the Colonists on the Subject of Religious Liberty. — Vane's Controversy with Winthrop. — His Embarkation for England.

It was necessary to give a fair representation of the famous controversy between Mrs. Hutchinson and the Puritans of Massachusetts, in order to do justice to the memory of Governor Vane. He was deeply implicated in its progress. It was indeed impossible for one of his character and temperament to stand aloof, and take no interest in such an affair. He came to America prepared to engage in it with all his soul. He was fresh from the theological schools of Geneva, where such inquiries received, as they deserve, the highest degree of attention; and where the genius and intellectual energy of Calvin had been so deeply stamped upon the minds of the people,

that they continue, to this hour, to bear witness to them in the zeal with which they engage in religious investigations, and in that strong desire for truth, which characterizes them as a community. The mind of Vane, originally prone to take delight in the topics of religion, received an additional impulse in that direction, while residing in Geneva; and in the great controversy, which absorbed all other questions, during his administration of the government of Massachusetts, he not only naturally but necessarily took a lively interest; and, I doubt not, that, when the subject is thoroughly understood, his agency in its scenes will reflect no discredit upon his judgment or his feelings.

He espoused the cause of Mrs. Hutchinson. He believed her to be a woman of unquestionable piety as well as talent; and, however worthy of censure he might have thought her on the score of propriety and prudence, it was scarcely possible for him not to sympathize with her; for he entirely approved of her theological sentiments, and throughout his whole life regarded with abhorrence any such proceedings, as those instituted against her on account of her religious opinions.

With the support of Governor Vane and John Cotton, Mrs. Hutchinson was, for a time, enabled to protect herself against the persecution with which she was threatened in consequence of her

theological sentiments. Winthrop, the founder, and father, and first governor of the colony, led the opposition, and was supported by Mr. Wilson and all the other ministers of the country, by all the churches but that of Boston, and by a considerable and very active minority there.

In a contest where the parties were so unequally matched, it could not long remain a matter of uncertainty on which side the victory would rest; and, in that age of the world, the genuine spirit of toleration had gained admission to so few minds, that the defeated party could expect no mercy. As the quarrel continued to rage, not only with unmitigated, but with ever-increasing fury, the hearts of the contending parties were constantly growing more and more full of anger and bitterness towards each other. Mrs. Hutchinson had rendered herself inexpressibly odious by her actual or supposed attempts to injure the clergy, and the same odium was directed against all, who dared to countenance or tolerate the opinions with which she was charged.

At length the theological storm reached its crisis. The day of the annual election came round, and the party opposed to Governor Vane was concentrated at the appointed place and time. The Rev. Mr. Wilson clambered up into a tree, and harangued the electors in a style, which, in those grave times and in one of his calling, could not

have been endured, except during the prevalence of a most engrossing excitement. Mr. Winthrop was elected Governor, and all the friends of Vane were left out of office.

The people of Boston, who were devotedly attached to Vane, expressed their sentiments on the occasion by instantly electing him with others of his most zealous friends to represent them in the General Court. Influenced more by zeal than discretion, the party in possession of the majority in the Assembly, declared their election void. The Bostonians, with a spirit, which has actuated them from the beginning, and still lives and burns brightly among them, indignant at such an outrage upon their rights of suffrage, returned the same men back to the House, by a new election, the very next day!

At a meeting of the "Protestant Society" in London, in 1819, a speech was delivered, from the chair, by the late Sir James Mackintosh in support of the principles of civil and religious liberty, and in commemoration of its great champions in previous ages. In the course of the speech the following eulogium was pronounced upon the subject of this memoir. "I would also mention another individual greatly entitled to our admiration, and who also developed these principles; Sir Harry Vane. His writings are little known to the majority of readers; but he is alluded to

by Hume, and his book contains the principles of religious liberty in three or four pages, in a manner clear and irrefragable." *

The above attestation is of conclusive weight, considering the source from which it comes. No man was better qualified to pronounce such a panegyric, than the illustrious political philosopher from whom it proceeded. For Vane to be praised by Mackintosh is indeed "*laudari a laudato.*" Clearly, however, as Sir James perceived the merits of Sir Henry, it is very improbable that even he was aware at how early an age the great doctrine of civil and religious liberty was discovered and proclaimed by the latter. Vane was not only in advance of the times in which he lived, but he had attained that extraordinary superiority to prevalent errors, at a period of life, when men in general are considered as just beginning to act and think for themselves. While he was in America, and when not more than twenty-five years of age, he expounded, illustrated, and vindicated the great principles of religious liberty, with a clearness and fulness of comprehension, and a strength of argument, which have never been excelled.

The successful party had no sooner secured their seats in the colonial government than they

* London Monthly Repository, Vol. XIV. p. 392.

began in good earnest to put down by main force the Hutchinsonian heresy, and to cut off for ever all means of its further growth. The first step was to prevent the introduction into the colony of persons from England, who would favor it, many such persons being expected to arrive about that time. To this end a most "extraordinary" law, as it has been justly called, was enacted, by which a heavy penalty was imposed upon any person who should receive into his house a stranger coming with intent to reside, or let to such an one a lot or habitation, without in every instance obtaining particular permission of one of the standing council, or two of the assistant magistrates; and a large fine was also to be levied upon any town, which should, without such permission, allow a stranger a residence.

This law was felt, at the time, to be an enormous violation of the rights of the people; and the inhabitants of Boston were so incensed, that they refused to meet, as was usual, Governor Winthrop, when he entered the town on his return from the session of the legislature. A formal discussion of its constitutionality and validity was instantly provoked by the state of the public mind. Governor Winthrop advocated the law, and Mr. Vane wrote in opposition to it. Great ability was exhibited on both sides, and full justice, in the way of argument and ingenuity, done

to the question. It was indeed a vital and essential question, and no one can understand the principles upon which New England was colonized without an acquaintance with it.*

It has often been remarked that our fathers were guilty of great inconsistency in persecuting the followers of Mrs. Hutchinson, the Quakers, and others, inasmuch as they settled the country in order to secure themselves from persecution. They are often reproached as having contended manfully for the rights of conscience when they were themselves sufferers, and as then turning against others and violating their rights of conscience, so soon as they had the power and the opportunity to do it. But the remark and the reproach are equally founded in error. It was for religious liberty *in a peculiar sense*, that our fathers contended, and they were faithful to the cause *as they understood it*. The true principle of religious liberty, in its wide and full comprehension, had never dawned upon their minds, and was never maintained by them.

In their own country they were oppressed and in various ways afflicted in the exercise of their consciences, and in the expression and enjoyment of their own religious principles and way of worship.

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* The pamphlets comprising this controversy are to be found in Hutchinson's "Collection of Original Papers."

They saw no prospect of a remedy, because it was then universally supposed, that, in order to live in peace and liberty, Christians must agree in sentiment and speculation. Such an agreement was manifestly impossible in the old world. They were therefore led to conceive the plan of withdrawing from Christendom into a wilderness beyond the ocean, where, without disturbing others, they themselves might enjoy "freedom to worship God." It did not occur to their imaginations, that any, besides those who sympathized with them in views and feelings, would voluntarily join them in encountering the perils of the deep, and the sufferings of a new settlement, on a foreign and savage shore. It was their solemn and most sacred purpose to rear up their children in the faith they cherished; and they rejoiced in having, as they thought, devised a scheme of society, in which, far removed from all who differed from them, they might enjoy their own institutions and profess their own principles, without giving or suffering molestation, and free from all division or dissent.

Such was the theory upon which New England was planted. It was, as the event has abundantly proved, visionary and impracticable. Without considering the difficulty of excluding persons of discordant opinions, coming from abroad, it was utterly in vain to attempt to bring any sys-

tem of education to bear with such complete effect upon a whole people as to prevent difference of opinion among their descendants. It was however a beautiful vision, and, upon the whole, very creditable to those who indulged it. While we cannot lament that it failed of being realized, it is impossible not to sympathize with our fathers in the disappointment they so bitterly experienced, when, after all their sacrifices, and toils, and privations, and sufferings, and before they had got comfortably settled in their new abode, they discovered, to their amazement, that they had not escaped the differences and dissensions which they so much dreaded. It seemed hard, that, after having left Christendom, country, and home itself, and effected a lodgment in a far-off wilderness, where their only hope was a peaceful harmony of opinion, beyond the reach of oppression, and rescued from all temptation to oppress, — it was indeed hard to be pursued and tormented by those very disputes, which they had sacrificed their all to avoid. It ought not to be wondered at, as a strange or inconsistent thing, that they used every effort to drive from their territory those who advocated discordant opinions, and that they employed every device to prevent their introduction. In so doing they did not violate, but on the contrary fully acted out, the principles, upon which they emigrated to America, and planted

the colony. The law to which we have just referred was but an expression of those principles, and indicated the only probable policy by which they could be developed and preserved. It was regarded with disapprobation at the time, not because it was inconsistent with the principles of the commonwealth, but because it presented those principles in an aspect so naked and palpable, that their narrowness and deformity were more exposed to view than they had ever been before.

The public discontent became so great, that Governor Winthrop felt himself required to vindicate the law by an express appeal to the people in its defence. He accordingly published an elaborate "Defence of an Order of Court made in the year 1637," explaining its "intent" and illustrating its "equity."

To this pamphlet Mr. Vane immediately published a reply, under the title of "A Brief Answer to a certain Declaration, made of the Intent and Equity of the Order of Court, that none should be received to inhabit within this jurisdiction but such as should be allowed by some of the magistrates."

Winthrop introduced his argument by the following definition of a "common weale or body politic," such as the colony of Massachusetts was. "The consent of a certain company of people

to cohabit together, under one government, for their mutual safety and welfare."

To this definition Vane objects, that "at the best it is but a description of a commonwealth at large, and not of such a commonwealth as this (as is said), which is not only *Christian*, but dependent upon the grant also of our Sovereign; for so are the express words of that order of court to which the whole country was required to subscribe.

"Now if you will define a Christian commonwealth, there must be put in; *such* a consent as is according to God; a subjecting to such a government as is according to Christ. And if you will define a corporation incorporated by virtue of the grant of our Sovereign, it must be such a consent as the grant requires and permits, and in that manner and form as it prescribes, or else it will be defective. The commonwealth here described may be a company of Turkish pirates, as well as Christian professors, unless the consent and government be better limited than it is in this definition; for sure it is, all Pagans and Infidels, even the Indians here amongst us, may come within this compass. And is this such a body politic as ours, as you say? God forbid. Our commonwealth we fear would be twice miserable, if Christ and the King should be shut out so. Reasons taken from the nature of a common-

wealth, not founded upon Christ, nor by his Majesty's charters, must needs fall to the ground, and fail those that rely upon them. Members of a commonwealth may not seek out *all* means that may conduce to the welfare of the body, but *all lawful and due* means, according to the charter they hold by, either from God or the King, or from both. Nor may they keep out whatsoever may appear to tend to their damage (for many things appear which are not), but such as, upon right and evident grounds, do so appear, and are so in truth."

It is observable, by the by, as a curious circumstance, that the dependence of the colony upon the King, which afterwards became so injurious to the liberties of the people, was at this period relied upon as their shelter and defence against the arbitrary legislation of their own colonial government!

Another important point in Winthrop's argument was this. "The churches take liberty (as lawfully they may) to receive or reject at their discretion; yea, particular towns make orders to such effect; why then should the commonwealth be denied the like liberty, and the whole more restrained than any part?"

The following was Vane's reply. "Though the question be here concluded, yet it is far from being soundly proved; yea, in truth, we much

wonder that any member of a church should be ignorant of the falseness of the groundwork, upon which this conclusion is built; for, should churches have this power, as you say they have, to receive or reject at *their* discretion, they would quickly grow corrupt enough. *Churches have no liberty to receive or reject, at their discretions, but at the discretion of Christ.* Whatsoever is done in word or deed, in church or commonwealth, must be done in the name of the Lord Jesus. (Col. iii. 17.) Neither hath church nor commonwealth any other than ministerial power from Christ, (Eph. v. 23,) who is the head of the church, and the prince of the kings of the earth. (Rev. i. 5.) After that Cornelius and his company had received the Holy Ghost, whereby the right which they had to the covenant was evidenced, it is not now left to the discretion of the church whether they would admit them thereunto or not. But can any man forbid them water? saith Peter. He commanded them to be baptized. (Acts x. 47, 48.) There is the like reason of admission into churches. When Christ opens a door to any, there 's none may take liberty to shut them out. In one word, there is no liberty to be taken, neither in church nor commonwealth, but that which Christ gives and is according unto him. (Gal. v. 1.)"

He thus expressed his views respecting the proper treatment of heretics. "As for Scribes

and Pharisees, we will not plead for them; let them do it who walk in their ways; nor for such as are confirmed in any way of error, though all such are not to be denied cohabitation, but are to be pitied and reformed. (Jud. 22, 23.) *Ishmael shall dwell in the presence of his brethren.* (Gen. xvi. 12)."

Towards the conclusion he sums up his argument in these words.

"This law we judge to be most wicked and sinful, and that for these reasons.

"1. Because this law doth leave these weighty matters of the commonwealth, of receiving or rejecting such as come over, to the approbation of magistrates, and suspends these things upon the judgment of man, whereas the judgment is God's. (Deut. i. 17.) This is made a groundwork of gross popery. Priests and magistrates are to judge, but it must be according to the law of God. (Deut. xvii. 9, 10, 11.) *That law which gives that, without limitation, to man, which is proper to God, cannot be just.*

"2. Because here is liberty given by this law to expel and reject those which are most eminent Christians, if they suit not with the disposition of the magistrate; whereby it will come to pass that Christ and his members will find much worse entertainment amongst us, than the Israelites did amongst the Egyptians and Babylonians, than Abram and Isaac did amongst the Philistines,

than Jacob amongst the Shechemites, yea, even than Lot amongst the Sodomites. *These all gave leave to God's people to sit down amongst them*, though they could not claim such right as the King's subjects may. Now that law, the execution whereof may make us more cruel and tyrannical over God's children, than Pagans, yea, than Sodomites, must needs be most wicked and sinful."

These extracts will give an idea of the remarkable production from which they are taken, and will show how clearly Vane comprehended the principles of civil and religious liberty. He understood them thoroughly, and, when still scarcely more than a youth, defended them with an ingenuity, force, and felicity of illustration, particularly from the Scriptures, which will not suffer by comparison with any thing that has since been done in the same great cause.

He well deserves a place in that illustrious company, who have taken the lead, in modern times, in asserting the rights of conscience, and in vindicating the principles of Christian liberty. He was contemporaneous with Roger Williams, and was followed by John Milton, William Penn, and John Locke. Not one of them grasped the subject more completely than he did; and, when we consider that he was zealously engaged in religious discussions, and enthusiastically devoted to what he thought the truth, we can hardly hesitate

to yield to him the glorious distinction of having, to a degree that was never surpassed, if ever equalled, comprehended in theory, and developed in practice throughout his whole life, the sacred principles of Christian toleration and religious liberty.

It is of course impossible to say, who first conceived and apprehended these principles. But it is highly probable that the earliest public and formal expression of them, was in the tract just quoted, which was issued in 1637. Roger Williams was already carrying them into practice in the settlement of Rhode Island, and defended them in 1644 in his celebrated "Dialogue between Truth and Peace."

As writers and as statesmen, Vane and Williams seem to deserve the glory of the earliest promulgation of the principles of toleration. They understood them, in their whole extent, as applicable not only to Christians, but to all men of whatever religion.

Mr. Robert Walsh, in his excellent "Appeal," has vindicated the claim of Lord Baltimore, and his associates in the settlement of Maryland, to a share in the honor. And although they extended their toleration only to Christians, in this respect falling short of the great principle, it must be acknowledged that they exhibited a liberality and enlargement of spirit, which Protestants are particularly bound to imitate, but have seldom equalled.

The law of Maryland, passed in 1649, protecting all Christian sects and individuals from mutual reproaches and recriminations on account of their sentiments, and *forbidding them to call each other heretics or infidels*, was a noble declaration of Christian charity, and as wise an act of legislation on the subject of religion, as is to be found on the records of history.

Winthrop rejoined with his usual ability, and made the best of what all will probably now acknowledge to have been a bad cause. But the further continuance of the controversy was prevented by Vane's removal from America.

He took passage for England, in August, 1637, accompanied by Lord Ley, a young nobleman, son and heir of the Earl of Marlborough, who had come over a short time before to see the country. A large concourse of the inhabitants of Boston followed their honored friend and former chief magistrate to the wharves, and many accompanied him to the vessel. A parting salute was fired from the town, and another from the Castle. Every demonstration was given of love and esteem for his person, and of respect for his character and services. His name continues to be held in deserved admiration in New England, and the place of his residence, while in Boston, is still pointed out with affectionate gratitude and pride.*

* Governor Vane's house stood, as we are informed by

But his interest in the colony did not cease at his departure from its shores. During the remainder of his life he labored to serve the cause of America. By the aid of his powerful name, Roger Williams had succeeded in obtaining a deed of Rhode Island from the native princes, and after Vane's return to England he exerted himself to procure the first charter of that colony. Williams, whose friendship for him was cemented and confirmed by a perfect harmony of sentiment on the principles of civil and religious liberty, has left on record an expression of gratitude for his generous services, and a declaration that his name ought for ever to be held in honored remembrance by the people of Rhode Island. And the excellent Winthrop manifested the superior magnanimity of his own noble spirit, by also placing upon record a cordial eulogium on the man, who had contended successfully against him in the lists

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Hutchinson (Vol. I. p. 55, *note*), "on the side of the hill above Queen Street," between the sites of the houses of Mr. Jonathan Phillips, and the late Mr. Gardiner Greene. On his departure from America, he presented the estate to Mr. Cotton, in whose family he had resided, and with whom he had "formed a great friendship," founded upon sympathy of opinions and congeniality of spirit. It has been supposed that Sir Henry Vane assisted Mr. Cotton in preparing the "Abstract of the Laws of New England," published at London, in 1641. — *Hist. Coll.* Vol. V. p. 172, *note.*

of controversy, and for a while eclipsed the brilliancy of his own richly merited and hard-earned popularity in a community of which he was the founder and the patriarch.*

* The following are Williams's own words. "It was not price and money that could have purchased Rhode Island, but it was obtained by love, — that love and favor, which that honored gentleman, Sir H. Vane, and myself, had with the great Sachem, Miantonomo, about the league which I procured between the Massachusetts English and the Narragansetts in the Pequot War. This I mention, as the truly noble Sir H. Vane had been so good an instrument in the hand of God for procuring this Island from the barbarians, as also for procuring and confirming the charter, that it may be recorded with all thankfulness." — *Hist Coll.* Vol. X. p. 20, *note.*

Winthrop, in speaking of a difficulty, in which, in 1645, some New England men were involved, in the admiralty courts in London, on account of their connexion with certain proceedings of the government of Massachusetts, and which was of such moment, that the bonds they were required to give amounted to four thousand pounds, mentions the active and disinterested exertions of Sir Henry Vane in their behalf, and says that "although he might have taken occasion against us for some dishonor, which he apprehended to have been unjustly put upon him here, yet both now, and at other times, he showed himself a true friend to New England, and a man of a noble and generous mind." — *Savage's Winthrop*, Vol. II. p. 248.

But Sir Henry Vane proved his real friendship for New England most effectually by the pains he took to save the country from the destructive influences of reli-

gious bigotry and intolerance. In Hutchinson's "Collection," p. 137, the reader will find an excellent letter from him to Winthrop, exhorting the Congregational churches in America to exhibit such an example of the spirit of peace, charity, and forbearance, as would promote the great cause of Christian liberty and truth in the older world.

Perhaps it was owing to these rebukes of their uncharitable proceedings, that Sir Henry rendered himself so unpopular among the leading men of the dominant party in the colony. Certain it is, that some of them regarded him with prejudiced minds, and transmitted to their descendants the most uncandid and unjust accounts of his character and conduct while at the head of the colonial administration.

Far different was the feeling with which he was regarded by the inhabitants of Rhode Island. Sir Henry, having heard that a contentious and intolerant spirit had gained admission into the hearts of some of the active leaders of that colony, wrote them a letter on the 8th of February, 1653, expressing his regret at the intelligence, and urging them to a more consistent practice of the principles upon which their society was founded. An answer was drawn up by Roger Williams, and signed by the principal people of Providence, which shows with what truly Christian sentiments Sir Henry's friendly and faithful remonstrances were received. It concludes by expressing the hope, "that, when we are gone and rotten, our posterity and children after us shall read, in our town records, your pious and favorable letters, and loving-kindness to us." — *Hist. Coll.* Vol. IX. p. 194, 2d Series.

CHAPTER VI.

Sequel of Mrs. Hutchinson's History. — Her Memory calumniated. — The Spirit of Persecution.

Before I proceed to sketch the career of usefulness, glory, and suffering which awaited Governor Vane in his own country, it will be but an act of justice to those readers whose interest and curiosity may have been excited respecting it, to relate the result of the controversy in which he had so large a share.

It was extinguished and extirpated only by the direct application of mere power. Mr. Wheelwright was banished, and the same sentence was carried into execution against Mrs. Hutchinson, after an examination and trial, in which she exhibited the most extraordinary degree of talent, learning, skill, and fortitude.*

She removed to Rhode Island with her family, where her conduct did not incur reproach, although she continued faithful to her principles;

* The "Examination of Mrs. Hutchinson" may be found in the Appendix to the second volume of Hutchinson's *History of Massachusetts.*

neither did any injury or inconvenience result from her influence there. How clearly does this illustrate the important maxim, that no heresy need be regarded as dangerous to the state, when the state does not meddle with it!

Upon the death of her husband, she transferred her residence to Long Island, where, in the year 1643, her sufferings and persecutions were brought to an end in a manner so awful and tragical, as would have softened the hearts, we might suppose, of the bitterest foes, and have buried for ever all feelings of anger and bigotry, in one wide-spread and profound sentiment of pity and sorrow. She and all her family, consisting of sixteen persons, were murdered by the Indians, with the exception of one daughter, who was carried into captivity.

Such was the fate of Anne Hutchinson, one of the most remarkable persons of her age and sex, — learned, accomplished, and of a heroic spirit. Her genius was as extraordinary, as her history was strange and eventful. Her abilities were equalled only by her misfortunes. With talents and graces, which would have adorned and blessed the private spheres, within which they ought to have been confined, she aimed to occupy a more public position, and to act upon a more conspicuous theatre; and the consequence was, that she was hated where she would otherwise have been

loved; a torrent of prejudice and calumny was made to pour over her; an entire community was thrown into disorder and convulsions for years; a most cruel persecution drove her from the pale of civilization; and she fell, at last, beneath the bloody tomahawks of murderous savages.

Immediately after her exile from Massachusetts, the flood-gates of slander were opened against her character. Every species of abuse and defamation was resorted to, and tales of calumny were put into circulation so extravagant, disgusting, loathsome, and shocking, that nothing but the blackest malignity could have fabricated, or the most infuriated and blinded bigotry have credited them.* Every mouth seemed to be open to asperse her, and every heart hardened against her. And when the news of her tragical death arrived, it was readily believed and proclaimed that it was a judgment of God upon her sinful heresies, and the people seemed almost to take satisfaction in reflecting upon the dreadful fate, which had befallen her in the distant wilderness to which she had been driven by their intolerance.

In contemplating the furious and desperate virulence of the colonists towards Mrs. Hutchinson, we discern a striking illustration of the destructive influences of bigotry and persecution upon

* MATHER'S *Magnalia*, Book VII. Chap. III. § 11.

all the finer and more amiable sentiments of humanity. The very virtues which are justly lauded in our fathers serve to prove and demonstrate the lesson, which it becomes us to draw from this passage of their history. Indeed no excellence of nature or of principle, no strength or refinement of character, is proof against the debasing power of intolerance. To be bigoted is to be cruel. To persecute another is to barbarize one's self.

CHAPTER VII.

Vane's Arrival in England. —Married. —Elected by Kingston upon Hull to Parliament. — Long Parliament. — Made Treasurer of the Navy. — Knighted. — Quarrel between his Father and the Earl of Strafford. — Characters given of Vane by Anthony Wood, by Clarendon, by Ludlow, and by Hallam.

Upon returning to his own country, Mr. Vane found himself, in consequence of his opinions, in such relations towards the government and the church, his own father and family, and the circles of society in which they moved, that a private station was then regarded by him not only as the post of honor, but as the only one, which, with any consistency, satisfaction, or peace of mind, he could possibly occupy. It seemed proper too, that, after the strange, and turbulent, and trying scenes through which he had passed in America, there should be a pause, and a season of preparation, to fit him to enter upon the career of glorious service and suffering which awaited him at home. Having connected himself in marriage with a lady of distinguished family, he continued for some time, in the quiet and happy retreats of

domestic life, and in the pursuit of those lofty studies of religion and politics of which he was already so eminent a master, to replenish and invigorate his spirit for a strenuous and effectual action in those struggles for the liberty and happiness of his country, to which Providence was soon to summon him.

At length, however, his friends prevailed upon him to relinquish his retirement; and he was again brought into public life, as representative in Parliament of Kingston upon Hull. He took his seat on the 13th of April, 1640.

So great was the reputation he had previously acquired, and the impression produced by his appearance and conduct in the House during the brief continuance of this Parliament, that it became an object of some importance to secure his favor and influence to the government. He was accordingly signalized by the expressions of royal regard. The important and lucrative office of Treasurer of the Navy was conferred upon him jointly with Sir William Russell; and in the following June he received from King Charles the honors of knighthood, and was, thereafter, until the death of his father, in 1655, distinguished by the title, either of Sir Henry Vane the Younger, or Sir Henry Vane of Raby Castle, Knight.

When we consider his known opinions, in reference to the government in church and state,

we can appreciate the value of these honors. Nothing but the highest estimate of his talents, influence, and character could have drawn down upon the enthusiastic Puritan such marks of the royal favor.

While these splendid distinctions were entirely unavailing to weaken or corrupt his principles, or silence the utterance of them on proper occasions, they served to increase, to a considerable extent, the embarrassments of his situation, which at this period were peculiarly perplexing. His own views and feelings, in matters of religion and politics, were such as to permit him to have but little sympathy with the government. But the official station of his father could not but render it very disagreeable and difficult for him to take any step in opposition to the administration. The particular instances of their good will and kind feeling towards him personally, rendered it still more repugnant to his feelings to do any thing that would wound or disturb the King or his ministers. A train of events, however, was already in course, which were soon to release him from the trammels in which he was thus confined.

The two most powerful men in the government, and, perhaps it might be said, the two principal subjects in the realm, at that time, were Sir Thomas Wentworth, Lord-Lieutenant of Ireland, and Sir Henry Vane, his Majesty's Prin-

cipal Secretary of State. It is not unusual for persons situated as they were, to cherish towards each other feelings not of the most agreeable kind. An equal eminence, particularly when it is so great, is apt to beget sentiments of rivalry, jealousy, and ill-will. Such was the result in this case. And it happened to come to light, as such things often do, that Sir Thomas Wentworth had formed an intrigue, and been most active in conducting it, the object of which was to prevent Sir Henry Vane's elevation to the office of Secretary of State. The attempt proved ineffectual, that office having been conferred upon him in September, 1639. The circumstance that they were unavailing did not in the least diminish the resentment which Vane naturally experienced, when the machinations of Wentworth were discovered; and from this time an open and irreconcilable enmity existed between them.

If Charles had possessed the skill, which is necessary in conducting a cabinet with success, he would either have insisted upon a reconciliation between his ministers, or have dismissed one or both of them from his councils. But he did not; and this unfortunate quarrel became the fruitful source of infinite evil to him and to his government. The discovery of Wentworth's plot to prevent the elevation of Vane was the signal for an open rupture, not only between them, but

between their friends respectively. Two parties were formed in the cabinet, and through all the branches of the government. Wentworth was supported by the favor of the King, and Vane by the zealous, and, as the event proved, the effectual influence, of the Queen. It is easy to imagine the discord and confusion, which such a state of things would necessarily introduce into the administration; and, indeed, it may safely be said, that much of the misgovernment, which alienated the affections of the people from the King, and finally brought him to the scaffold, and plunged them in the horrors of a civil war, may be traced to this cause.

While so much injury and unhappiness were experienced, in consequence of the quarrel between him and the Secretary, Sir Thomas Wentworth, with a ferocity of hatred, and an insolence of malice, which can scarcely be explained in consistency with the elevation of character generally ascribed to him, carefully devised, and, as it cannot be doubted, by the connivance of the King, deliberately executed, an outrage upon the feelings of Vane; an insult so personal and irritating, that it naturally produced in his fiery and proud spirit, an inextinguishable flame of resentment. The circumstances were these.

The family seat of the Vanes, then, as at the present day, was Raby Castle. It was here

that Sir Henry had been accustomed to entertain King Charles with all the feudal splendor and princely pageantry peculiar to the age, and with which the reader of "Kenilworth" is familiar in the admirable description of Leicester's reception of the Maiden Queen. It is not difficult to imagine with what lofty associations its chivalrous owner must have contemplated the castle, which had witnessed such scenes, and had thus become identified with the dignity of his family and the glory of his name.

Sir Thomas Wentworth knew the attachment of the Vanes to their favorite castle, and had noticed that the son had adopted the title, by way of distinction from his father's, of Sir Henry Vane of Raby Castle, Knight; and he resolved to insult and provoke them on the point where their pride seemed to be most sensitive. When he was created a Peer, as the Earl of Strafford, he procured his patent to be made out with the style and title of BARON RABY OF RABY CASTLE, thus maliciously anticipating the title appropriate to the Vanes, and robbing them of the honors of their own property and residence. Clarendon asserts that the title was taken by Strafford "purely out of contempt of Vane"; and, although the eulogist of Strafford and the bitter foe of Vane, the same historian admits, that it "was an act of the most unnecessary provocation" he ever knew, and ex-

presses his full belief that it "was the chief occasion of the loss of his (Strafford's) head."

Sir Henry Vane, the elder, was not a man to bear with patience such a studied, deliberate, and contemptuous outrage. His passions were strong, and his character untempered either by the religion, the philosophy, or the refinement of his son. From that moment he pursued Lord Strafford with a fixed and deadly hostility, which was fully reciprocated by the latter. The kingdom was convulsed by the conflicts of their desperate personal hatred. As they were in the highest places of the government, it is unquestionable, as has already been observed, that almost all the troubles, which agitated and embittered the minds of its subjects, and paved the way to its overthrow, can be traced back and resolved into this fatal and relentless feud. They struggled to bring each other's power to the dust, and head to the block. In this fearful contest the energy of Vane prevailed, and at last the Baron Raby of Raby Castle paid the price of his title, so maliciously and fraudulently procured, on the scaffold; and the block, upon which he laid down his life, was not satisfied with blood, until it had drunk that of Royalty itself.

From such remote and hidden sources does the current sometimes spring, which, in its final issue, overturns thrones and desolates kingdoms.

While the elder Vane continued to support the government, in the discharge of the high office, which he preserved, notwithstanding the hostility of Strafford, and even of the King himself, by the vigor of his genius, and through the influence of a power behind the throne greater than the throne itself, the son felt himself wholly exonerated from all personal obligation to maintain the cause of a monarch, who had countenanced such an insult and injury to his father, while actually engaged in the faithful exercise of his own ministry, both in the cabinet and on the floor of Parliament.

Sir Henry Vane, the younger, thus rescued from the embarrassing restraints, which had before consigned him to silence and inactivity, from this time to the end of his life, devoted himself to the open and public advocacy of those principles to which his heart and mind had long been attached; and, with untiring patience and inflexible firmness, continued to labor in the cause of freedom and religion, until at last he was called to seal his fidelity with his blood.

In the mean time Charles, having failed to obtain the supplies which he had demanded from the Parliament, proclaimed its dissolution, and summoned another. Sir Henry Vane, the younger, was immediately reëlected by Kingston upon Hull, and resumed his seat on the third of No-

vember, 1640; a day memorable in the annals of England, as marking the commencement of the celebrated LONG PARLIAMENT, so called, in consequence of an act, which it passed early in its session, and which the King was infatuated enough to sign, by which it was secured against its own dissolution, except by its own consent in both Houses. In affixing his signature to that act, Charles stripped himself of his prerogative, clothed his enemies with indestructible power, and set his seal, as the event proved, to his own death-warrant.

I shall not attempt to describe the character of the Long Parliament. Its history, although it embraces the most extraordinary and brilliant chapter in that of England herself, has never yet been written. It was a body which, as Warburton justly remarked, comprised "a set of the greatest geniuses for government, that the world ever saw embarked together in one common cause," and whose actions produced an effect, which, at the time, made their country the wonder and admiration of the world, and is still felt and exhibited far beyond the borders of that country, in the progress of reform, and the advancement of popular liberty.

Of this august and illustrious legislative assembly the young member for Kingston upon Hull was, from the first hour of its deliberations, one of

the foremost leaders, and was destined to secure by far the brightest, purest, and most enviable fame.

At this point, then, the career of Sir Henry Vane, the younger, as a great statesman and a British patriot, may be said to have commenced. While his previous history connected him with America, he was now to figure before the world. In the colony of Massachusetts he had made his preparation for the great work of liberty, and had become imbued with the inflexible and stern spirit of freedom and virtue, which in that early age, as much as at any subsequent period, pervaded New England; and now, on a larger and more conspicuous theatre, he was to unfold and vindicate what are justly termed "the American principles." As a member of the Long Parliament, he occupied a position favorable to the promotion of his cause; and he possessed in a high degree, as all have concurred in acknowledging, those talents, which, in a parliamentary leader, are requisite to secure success.

The reader will form his own opinion of the character of Sir Henry Vane, when his history shall have been spread before him in its whole extent. It may be proper, however, to offer such a general description as will prepare him to do justice to the subject. In order to appreciate the importance of a right estimate of the charac-

ter of Vane, in reference to the history of his times, I will show in what aspects he is represented by the historians.

His own enemies, and the enemies of republican principles, have been extremely anxious to reduce and destroy the influence of his character and example, by misrepresenting his opinions and actions. It is indeed much to be regretted, that they have been permitted to impress their prejudices and calumnies so deeply on the pages of history, that they are not yet entirely obliterated. But the corrective process is at work, and the cause of truth and justice will, ere long, be fully vindicated, in restoring to the love and admiration of the world those names, which richly deserve them, but have heretofore been defrauded of their due.

The following passage will give an idea how the friends of liberty have been misrepresented and abused. It is from Wood's *Athenæ Oxonienses*. Speaking of Vane, he says;

"In the beginning of the Long Parliament he was a promoter of the rebellion, a frequent committee-man, a speech-maker, a preacher, an underminer, a juggling fellow, and a plotter to gain the estates of other persons, that adhered to his Majesty in the worst of times."

The same writer proceeds, in a strain which sufficiently indicates the coarse bitterness and vio-

lence of his prejudices. "In sum, he was the Proteus of the times, a mere hotch-potch of religion, chief ringleader of all the frantic sectarians, of a turbulent spirit and working brain, of a strong composition of choler and melancholy, an inventor not only of whimseys in religion, but also of crotchets in the state (as his several models testify), and composed only of treason, ingratitude, and baseness."

The above is hardly an unfair specimen of the spirit and manner, in which the great republicans of that day were treated after the restoration of the monarchy, and have since been regarded by persons who, as is the case with too many, have received their impressions from writers whose political feelings were in harmony with those of Anthony Wood.

I will now quote Clarendon's description; and when the reader considers, that the noble author was a zealous opponent of Vane's principles and party through life, and, during a large part of it, in strenuous personal collision with both the father and son, he will be able to make the proper allowance. Speaking of the younger Vane, Clarendon says,

"He was indeed a man of extraordinary parts, a pleasant wit, a great understanding, which pierced into and discerned the purposes of other men with wonderful sagacity, whilst he had him-

self *vultum clausum;* that no man could make a guess of what he intended. He was of a temper not to be moved, and of rare dissimulation, and could comply when it was not seasonable to contradict, without losing ground by the condescension; and if he were not superior to Mr. Hampden, he was inferior to no other man, in all mysterious artifices." Clarendon also informs us that his personal appearance was remarkable, impressing all who looked upon him with the conviction that he was an "extraordinary man."

I will next quote the account given of him by an eminent political associate and friend, the gallant General Ludlow.

"In the beginning of the great Parliament, he was elected to serve his country among them, without the least application on his part to that end. And in this station, he soon made appear how capable he was of managing great affairs, possessing, in the highest perfection, a quick and ready apprehension, a strong and tenacious memory, a profound and penetrating judgment, a just and noble eloquence, with an easy and graceful manner of speaking. To these were added a singular zeal and affection for the good of the commonwealth, and a resolution and courage not to be shaken or diverted from the public service."

The following sentiments from Henry Hallam, the author of the "Constitutional History of

England," one of the most valuable works in the language, will show that just ideas are beginning to prevail, even among writers who do not sympathize with such men as Vane, either in politics or religion.

"The royalists have spoken of Vane with extreme dislike; yet it should be remembered, that he was not only incorrupt, but disinterested, inflexible in conforming his public conduct to his principles, and averse to every sanguinary and oppressive measure; qualities not very common in revolutionary chiefs."

In illustration of his disinterestedness Hallam refers to his having relinquished all the emoluments of his office as Treasurer of the Navy, at a time when it would have yielded him thirty thousand pounds sterling a year.

After having thus heard the opinions of friends and foes, the reader will be better prepared to form his own conclusions respecting the character of the remarkable man whose history, as an English statesman and patriot, I now proceed to relate.

CHAPTER VIII.

Strafford's Impeachment. — Mr. Pym. — Privy Counsellors first put upon Oath. — Testimony of the elder Vane. — Alienation between the Father and Son. — Strafford condemned. — His Character.

Sir Henry Vane, the younger, first made himself particularly prominent in the movements of the party, which was gradually preparing to overthrow the monarchy, at the trial of the Earl of Strafford. As this trial involved him in an embarrassing and very disagreeable collision with his own father, as his conduct in relation to it has been much misrepresented by the historians, and especially as it is, in itself, one of the most curious and interesting passages of English history, it will be proper to relate it at considerable length.

The actual administration of the executive department of the British government was, in those days, conducted by what is called "His Majesty's Privy Council." In the recess of Parliament this body was intrusted with the whole burden of affairs. Whenever a person was admitted to the Council, before taking his seat, he was re-

quired to make oath that he would "keep secret all matters committed and revealed" to him, that should "be treated of in Council."

Lord Strafford, by his haughtiness, violence of temper, arbitrary deportment, tyrannical proceedings, and high-toned principles of government, had made innumerable enemies; and the time was evidently nigh at hand when he was to experience the weight of their anger and vengeance. His impeachment and punishment were accordingly resolved on, and the necessary measures were taken to bring him to trial. The design was accomplished under the following circumstances.

The Long Parliament, as has already been stated, commenced its session on the 3d of November, 1640. On the very first day, when it was in order to proceed to such business, Mr. Pym, the most experienced member of the House, and one of the ablest men that ever held a seat in it, rose in his place, and entered into a particular enumeration of the troubles of the kingdom. His speech was constructed and arranged with consummate ability and art. After enlarging upon the public grievances, he carefully exonerated the King of the blame, and threw it upon his advisers, speaking of the acts of maladministration in the following words; "as done and contrived maliciously, and upon deliberation, to change the whole frame of the government, and

to deprive the nation of all the liberty and property, which is their birthright by the laws of the land, which are now no more considered, but subjected to the arbitrary power of the Privy Council, which governs the kingdom according to their will and pleasure; these calamities falling upon us in the reign of a pious and virtuous king, who loves his people, and is a great lover of justice."

The attention of the House, it may well be supposed, was roused and fixed upon the orator. He proceeded, "We must inquire from what fountain these waters of bitterness have flowed; what persons they are, who have so far insinuated themselves into the royal affections, as to be able to pervert his Majesty's excellent judgment, to abuse his name, and wickedly apply his authority to countenance and support their own corrupt designs. Though, I doubt not, there would be found many of this classis, who have contributed their joint endeavors to bring this misery upon the nation, yet THERE IS ONE, more signal in that administration than the rest, a man of great parts and contrivance, and of great industry to bring what he designs to pass; a man, who, in the memory of many present, sat in this House an earnest vindicator of the laws, and a most zealous assertor and champion of the liberties of the people, but who has, long since, turned apostate from these good affections, and, according to the

custom and nature of apostates, become the greatest enemy to the liberties of his country, and the greatest promoter of tyranny, that any age has produced."

Mr. Pym then, after a pause, amidst the breathless silence of the House, pronounced the name of the "Earl of Strafford, Lord-Lieutenant of Ireland, and Lord-President of the Council established in York, for the northern parts of the kingdom, who in both places, and in all other provinces, where his service has been used for the King, has raised ample monuments of his tyrannical nature;" and concluded by expressing his full belief, that, if the Commons "took a short survey of his actions and behavior, they would find him the principal author and promoter of all those counsels, which had exposed the kingdom to so much ruin."

After a free and full debate, the House of Commons voted *unanimously*, (thereby indicating in the most decisive manner how strong and conclusive was the evidence of his arbitrary misconduct and general guilt,) "That they would forthwith send up to the Lords, and accuse the Earl of Strafford of high treason, and other crimes and misdemeanors, and desire that he might be presently sequestered from Council, and committed to safe custody." Mr. Pym was directed to carry up the impeachment to the House of Lords.

Lord Strafford had not been able, on account of indisposition, to leave his lodgings that morning, and was entirely ignorant and unsuspicious of the proceedings against him. It was a most remarkable circumstance, that, while detained in his house, he conceived the purpose of procuring the impeachment of some of his opponents, and was so eager to carry it into effect, that, notwithstanding his unfit state of health, he actually left his sick chamber and proceeded towards the Parliament. Clarendon informs us that he reached the House of Peers, soon after three o'clock, just as the House of Commons, with Pym at its head, appeared at the bar; and great indeed was his amazement and consternation, when their message was communicated.

It was as unexpected to the Lords in general, as it was to Strafford himself. There was hardly any room for discussion. An impeachment sustained by the unanimous vote of the representatives of the nation, just assembled from the bosom of the people, left the Peers no alternative. After a brief debate, they voted to comply with the request of the House, and Lord Strafford was committed to the Tower.

The Commons then proceeded to appoint a committee, which, at their request, was joined by a committee of the Lords, to frame articles of impeachment and prepare the specifications of

charge, with full power to send for persons and papers, and with authority to conduct their examinations in private. This procedure was, with good reason, objected to, as a dangerous precedent, by which the Parliament, from being a court to try offences publicly charged, was likely to be converted into an irresponsible and secret inquisition. But it was vindicated on the following grounds; "that the charge against the Earl of Strafford was of an extraordinary nature, being to make a treason evident out of a complication of several ill acts; that he must be traced through many dark paths, and this precedent seditious discourse compared with that subsequent outrageous action, the circumstances of both which might be equally considerable with the matter itself; and therefore, that, before this charge could be so directly made and prepared as was necessary, it was requisite that a committee should be made of both Houses to examine some witnesses upon oath, upon whose depositions his impeachment would easily be framed."

In addition to the appointment of a committee with such powers, the still more extraordinary measure was adopted of passing a law that "Privy Counsellors should be examined upon oath, touching such matters as had been treated of in Council."

When the reader considers the bearing of this law, in reference to the organization and nature of the Privy Council, as before described, he will perceive its immense importance. By nullifying the oath of secrecy, imposed upon its members, it entirely revolutionized the character of that branch of the government. It threw the Council into the power of the Parliament, and, through them, of the people. If every thing said in Council was liable to be exposed and subjected to scrutiny and censure by the Parliament, Counsellors would necessarily be led to deliberate and act as in view of the people, and the popular principle be thus made to bear with controlling energy upon the King himself. It was indeed a great and decisive encroachment upon the prerogative of the Crown; and the King was induced to yield to it, and to sign the law, because a reluctance on his part would have been instantly and universally interpreted as an acknowledgment, that sentiments had been uttered in Council by his favorite Strafford, which could not bear the light, and would be brought out by putting the Counsellors on their oaths.

When the power to compel Privy Counsellors to testify had been secured to the committee by law, great curiosity was felt and expressed throughout the country in reference to the evidence it was expected to bring out. Then again

all were impatient to discover by whose treachery it had been made known to the prosecutors, that offensive words had been uttered by Strafford in Council. It was, of course, understood that some member of that body had given information, contrary to his oath, of language, used by the accused at its sittings, which could be construed into treason. But every member of the Council positively and solemnly denied that he had ever made any revelations of the sort to a human being. There was something mysterious in the affair, and the developement of the testimony was awaited with the most intense interest, not only by the parties concerned, but by the nation at large. At length the trial came on, the mysterious evidence was produced, and it was decisive of the fate of Strafford.

So odious had this unfortunate nobleman made himself, by his arrogant violence, that the joint committee were almost literally inundated with complaints and accusations. A general demand was made for his blood, not only by the people of England, but also by the Scotch and Irish, who had alike suffered from his passionate and domineering spirit, and arbitrary principles of government. But, notwithstanding all this, it would have been difficult to convict him of *high treason*, had it not been for the evidence drawn from the Privy Council.

In pursuance of the authority conferred upon them, the committee summoned the members of the Council, and put them on their oaths touching the conduct and conversations of Lord Strafford at their board. And when Sir Henry Vane, the elder, came upon the stand, he testified, that at a particular date, which he mentioned, the Parliament having refused to grant the supplies which had been requested, his Majesty convened the Council, and asked the opinions of his ministers in reference to the course he ought to adopt under the circumstances; and that, in reply, Lord Strafford said, "Sir, you have done your duty, and your subjects have failed in theirs; and therefore you are absolved from the rules of government, and may supply yourself by extraordinary ways; you must prosecute the war vigorously; you have an army in Ireland, with which you may reduce this kingdom."

These words were traitorous in the highest degree, and, sustained by sufficient evidence, would inevitably secure and require the condemnation of Strafford. Upon calling the other members of the Council to the stand, the Earl of Northumberland testified to a part of the words imputed to the prisoner by Vane; but the Marquis of Hamilton, and Lord Cottington could not remember that such language or sentiments had at any time fallen from him. Although it was well known that these last-named witnesses were deeply in-

terested in not remembering any thing against the prisoner, having sympathized in all his feelings, and participated in all his plans, and although the testimony of Northumberland corroborated and confirmed the substance of that given by Vane, the latter was placed in a very disagreeable and trying situation. The bitter and unmitigated hatred between him and Strafford inclined many to suspect that he had sworn falsely against him; and almost all believed, that he must have committed a breach of faith, in communicating to the prosecutors the nature of the testimony which he could give, if it was absolutely required of him. It was certain, that it was known that such evidence could be drawn out, otherwise there would not have been any inducement for the passage of the law compelling Privy Counsellors to testify; and it was equally certain, that, if any one of that body had given the information, it must have been Vane. This chivalrous and high-spirited statesman stood, therefore, before his country and the world, with the imputation of either a perjurer or an informer, or of both, stamped upon him by general suspicion. His character had never before been impeached; and, while he protested his innocence, he could not but perceive that a deep, and, as it seemed, an indelible stain was fixed upon his name for ever. He felt that stain not "as a wound," but as worse than death itself.

All that he could do, and, against the apparent evidence of the case, it was of no avail for him to do it, was to reiterate the declaration, that the words to which he had testified were uttered by Strafford; that he had never mentioned or in any way alluded to them in the presence of any human being, until he had been put under oath; and that it was utterly unknown and inexplicable to him, how they could have been revealed, or in what way the prosecutors had obtained a clue to any of the consultations of the Council-board.

When the trial came on before the Parliament, the mystery was brought to light in the following unexpected and extraordinary manner.

When Mr. Pym, who conducted the impeachment, came to the charge of "his endeavor to alter the frame of government, and his intention to levy war," he adduced the evidence of the elder Vane, as that on which he chiefly relied. After it had been given in, Pym rose and informed the Court of the manner in which that evidence had been obtained. He then stated, that, some months before the beginning of that Parliament, he visited young Sir Henry Vane, the eldest son of the Secretary, who was then just recovering from sickness. The substance of the interview he related in these words.

"While we were together, and condoling the sad condition of the kingdom, by reason of the

many illegal taxes and pressures, Sir Henry told me, if I would call upon him the next day, he would show me somewhat that would give me much trouble, and inform me what counsels were like to be followed to the ruin of the kingdom; for that he had, in perusal of his father's papers, accidentally met with the result of the Cabinet Council upon the dissolution of the last Parliament, which comprehended the resolutions then taken.

"The next day he showed me a little paper of the Secretary's own writing; in which was contained the day of the month, and the results of several discourses made by several counsellors; with several hieroglyphics, which sufficiently expressed the persons by whom those discourses were made. The matter was of so transcendent a nature, and the counsel so prodigious, with reference to the commonwealth, that I desired I might take a copy of it; which the young gentleman would by no means consent to, fearing it might prove prejudicial to his father. But when I informed him, that it was of extreme consequence to the kingdom, and that a time might probably come, when the discovery of this might be a sovereign means to preserve both church and state, he was contented that I should take a copy of it; which I did in the presence of Sir Henry Vane, and, having examined it together, I delivered the original again to Sir Henry. I have care-

fully kept this paper by me, without communicating the same to anybody, till the beginning of this Parliament, which was the time I conceived fit to make use of it; and then, meeting with many other instances of the Earl's disposition to the kingdom, it satisfied me to move whatsoever I have moved, against that great person."

The paper was then submitted to the inspection of the High Court of impeachment. It contained the words sworn to by Vane, under the initials of Strafford's title, as Lord-Lieutenant of Ireland, and also the advices of the other counsellors, which, with the exception of Northumberland's and Vane's, were similar to that given by Strafford.

After Pym had resumed his seat, and the paper had been examined by the members of the Court, young Sir Henry Vane rose, apparently laboring under much excitement of feeling, and confirmed the statement of Pym. He then proceeded to explain the circumstances under which he had obtained possession of the paper as follows.

"My father, being in the north with the King, the summer before, sent up his keys to his private secretary, then at Whitehall, and wrote to me, that I should take from the secretary those keys, that opened his boxes where his writings and the evidences of his lands were, to the end that I

might cause an assurance to be perfected, which concerned my wife; and having perused those evidences, and despatched what depended thereupon, I had the curiosity to desire to see what was in a *red velvet cabinet*, which stood with the other boxes. I thereupon required the key of that cabinet from the secretary, as if I still wanted somewhat towards the business my father had directed. Having gotten the key, I found amongst other papers, that mentioned by Mr. Pym, which made that impression on me, that I thought myself bound in conscience to communicate it to some person of better judgment than myself, who might be more able to prevent the mischiefs threatened therein; and so I showed it to Mr. Pym, and, being confirmed by him that the seasonable discovery thereof might do no less than preserve the kingdom, consented that he should take a copy thereof; which to my knowledge he did faithfully; and thereupon I laid the original in the proper place again, in the red velvet cabinet."

After having thus ingenuously acknowledged the whole transaction, he turned towards his father, and said, in conclusion, "I know that this discovery will prove little less than my ruin in the good opinion of my father; but, having been provoked by the tenderness of my conscience towards our common parent, the country, to tres-

pass against my natural father, I hope to find compassion from this House, though I have but little hopes of pardon elsewhere."

Sir Henry Vane, the elder, now rose. His habitual expression and general air wore the appearance of uncommon sternness and severity, and on this occasion he exhibited more than was usual of the same dark and frowning aspect. He was evidently very much wrought upon by the disclosures that had been made. He felt that his own honor was implicated in the publication by one of his family of a secret document, which he had held doubly sacred because its discovery would prove fatal to a personal foe. He thus commenced his address. "The ground of my misfortune is now discovered to me. I have been much amazed, finding myself pressed by such interrogatories, as made me suspect some discovery to be made, by some person as conversant in the counsels as myself. I am now satisfied to whom I owe my misfortunes; in which I am sure the guilty person will bear his share. It is true, being in the north with the King, and that unfortunate son of mine having married a virtuous gentlewoman (daughter of a worthy member now present), to whom there was somewhat in justice and honor due, which was not sufficiently settled, I sent my keys to my secretary, (not well knowing in what box the material writings lay,) and direct-

ed him to suffer my son to look after those evidences that were necessary; and by this occasion, it seems those papers were examined and perused which have begot this trouble." After relating a few more particulars, Sir Henry again expressed his grief, and disapprobation of the disclosure made by his son, and resumed his seat.

The House was in the mean time a scene of the most extraordinary and thrilling interest; the distressing collision between the father and son; the strange manner in which the evidence had been originally obtained; the sudden and unexpected solution of the mystery, which had hung over the testimony of Vane; and the fearful confirmation given to that fatal testimony, all together produced an intense excitement through the whole assembly.

The reader will judge for himself of the conduct of the younger Vane. While it may be regarded as an indiscreet and unauthorized indulgence of curiosity to have opened the "red velvet cabinet," it is probable that it will not, by many, be considered an unpardonable offence, for a son and representative and heir to have used the keys, which had been intrusted to a secretary. But that which the father most condemned, and about which there probably would be the greatest uncertainty and difference of opinion, was the communication of the paper to Mr. Pym. On this point he did not act without reflection

and cautious reluctance; and, whatever others may think to have been his duty, it is evident that his own conscience entirely approved of what he had done. If such advice were given by the King's favorite minister, and one of the most powerful and active men in the government, it is certain, that the country could not be considered safe for a moment, until it had been brought to light. The House passed a formal vote justifying the conduct of the younger Vane, and expressing its opinion, that it ought not to incur the displeasure of his father. But the feelings of the latter could not be assuaged by votes, and we are informed that a long period passed away, before a reconciliation was effected with his son. This was the last public transaction in which Sir Henry Vane, the elder, took a conspicuous and active part.

The testimony, whose curious history I have now related, was decisive of Strafford's fate, and satisfied his judges that he had given traitorous counsels to the King. The only way in which his friends could meet it was by pretending that the whole was a fiction, a deliberately contrived plot. Such, indeed, is the view Clarendon endeavors to insinuate into the minds of his readers. But it cannot stand the test of a fair examination. It was altogether too monstrous a supposition, and in such utter violation of what was

known of the characters of Pym and of both the Vanes, that their bitterest enemy hardly ventured to do more than insinuate it. Besides, the testimony was in perfect keeping with the character of Strafford, was substantially corroborated by the only member of the council, who could have been expected to confirm it, and, as Clarendon admits, was fully sustained by the manner and appearance of the parties during the painful and exciting scene, in which it was brought out at the trial of Strafford.*

It is a remarkable circumstance that the sympathies of many persons, who are themselves the ardent friends of liberty, are still given, in a great measure, to those characters in the annals of the mother country, who were the most violent

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* The above account of the circumstances of Strafford's trial is almost wholly drawn from Clarendon. The assertors of liberty in every age of the world have been subjected, in their fame, to writers whose prejudices were strongly engaged to misrepresent them. Such especially is the case with Vane and his contemporary fellow patriots. It is truly wonderful that their glory has not been permanently eclipsed. Providence, in a most extraordinary manner, has provided the means by which calumny can be refuted, error corrected, truth vindicated, and justice done. Although Clarendon endeavors to give an impression unfavorable to the Vanes in relating the facts connected with their testimony in this trial, I am persuaded that a careful reader would

opposers of republican principles; while the suffering martyrs in the cause of freedom are disregarded, or permitted to rest under calumny and reproach.

Strafford has admirers, it is probable, even among republicans. It becomes us to examine a little more carefully the actions and characters of men, before we yield to them our love and sympathy.

Warburton, who was not inclined to look with more than common severity upon the manifestation of an arbitary spirit, says of Strafford, "His ambition, pride, and appetite for revenge, were all exorbitant. His parts were of the first rate, and these solely directed to the gratification of his passions. What wonder then, when men found him in the station of prime minister, they should never think themselves safe while he continued there?" And Clarendon himself, his friend and partisan, admits that he was of "a nature too elate and arrogant," and says, that "of all his pas-

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gather, even from his account, very much such a view of the transaction, as I have given.

Hallam (in his "Constitutional History," Vol. II. p. 208,) says, that there can be little reason to question the testimony given by the elder Vane; and, in a note, affirms that Bristol and Usher, and Juxon, the Bishop of London, as well as Northumberland, corroborated it. He cites as his authority for this assertion, Rushworth's Abridgment, Vol. IV. pp. 455, 559, 586, and Baillie, p. 284.

sions, his pride was most predominant; which a moderate exercise of ill fortune might have corrected and reformed; and which was, by the hand of Heaven, strangely punished by bringing his destruction upon him by two things that he most despised, the people and Sir Harry Vane."

CHAPTER IX.

Religion the Spirit of the Age in the Time of Vane. — His religious Character. — His religious Principles. — Clarendon's Account of them. — Burnet's. — Hume's. — Mackintosh's Opinion of Vane's Writings. — Vane a Calvinist. — Tolerant towards all Sects. — Selections from his Writings on Toleration. — His Views of the Fall of Man. — Debate on Episcopacy in 1641. — Vane's Speech. — Assembly of Divines.

From the time of the Reformation until the restoration of Charles the Second, when libertinism and infidelity became the order of the day, the ruling sentiment in England and on the Continent was Religion. This was the power which moved all other powers. One of its most remarkable manifestations was the colonization of America by the Puritans. But its last and brightest display, as a predominating and visible power in the affairs of state, was the struggle which resulted in the establishment of the Commonwealth in England. The tone and character of a theological controversy prevailed throughout all its stages. To be a statesman in those days, it was neces-

sary to be a theologian. Speeches in Parliament were pregnant with the learning of the schools of divinity. The precedents cited were drawn from the Fathers; the arguments relied upon were texts of Scripture; and, from the House of Lords to the obscurest stations in society, the topics of discussion and conversation were of a religious character. In this respect, the contest of the Parliament and people with Charles the First takes rank above all other political revolutions on record; and, when thoroughly and impartially examined, will be found to transcend them in the dignity of the topics debated, and the importance of the principles at issue.

In writing the history of an eminent leader in such a revolution, it is of essential moment to ascertain and illustrate his religious character. It is no small part of the distinction of Sir Henry Vane, that, in an age when religion was the great political principle, he excelled all his associates and contemporaries in his theological acquirements, and in the spiritual advancement of his character. From his early youth, his whole mind and heart were devoted to the truths of the Gospel, the cause of the church, and the spirit of piety.

Of his religion, as a personal principle, operating upon his soul and his life, I can express myself with freedom; for, on this point, there will

be none to dispute me. His sincerity, his zeal, his faith, his ardent and uniform piety, were seen and acknowledged by all; they shone, with a steady and serene radiance, through his whole life, and were concentrated with a lustre which compelled the admiration, nay the veneration, of all men, even of his bitterest enemies, on the scene of his glorious death. When I look over the long catalogue of names which men have called great, and see so many of them written in blood, and so few illuminated by the pure and heavenly light of virtue and piety, the reader will pardon me, nay, he will join me, in expressing the delight I experience in contemplating the character of a statesman, whose chosen pursuit was the acquisition of divine truth; whose most earnest and powerful efforts were devoted to its diffusion; whose life was adorned with holiness and innocence; whose heart was the constant abode of the spirit of prayer; and whose mind was kept bright and clear by the rays of the Sun of Righteousness.

But his religious character, as it shone in his daily life, will be best illustrated by tracing the history of that life. I proceed therefore to the examination of his religious views and principles. And here, again, I shall adopt the plan of quoting what his enemies and calumniators have said respecting him, and then, after presenting the

actual truth to the reader, leave him to form his own conclusions.

Anthony Wood's view of his religious character has already been presented. Clarendon gives the following account. "Vane was a man not to be described by any character of religion; in which he had swallowed some of the fancies and extravagances of every sect or faction, and was become (which cannot be expressed by any other language then was peculiar to the time) *a man above ordinances*, unlimited or unrestrained by any rules or bounds prescribed to other men, by reason of his perfection. He was a perfect enthusiast, and, without doubt, did believe himself inspired; which so far corrupted his reason and understanding (which, in all matters without the verge of religion, was superior to that of most men), that he did, at some time, believe he was the person deputed to reign over the saints upon earth for a thousand years." Clarendon, in another place, expresses his wonder, that in Sir Henry's writings there was none of "that clearness and ratiocination, in which, in discourse, he used much to excel the best of the company he kept."

Burnet thus describes him; "For though he set up a form of religion in a way of his own, yet it consisted rather in a withdrawing from all other forms, than in any new or particular opin-

ions or forms; from which he and his party were called Seekers, and seemed to wait for some new and clearer manifestations. In these meetings he preached and prayed often himself, but with so peculiar a darkness, that, though I have sometimes taken pains to see if I could find out his meaning in his works, yet I could never reach it. His friends told me, he leaned to Origen's notion of an universal salvation of all, both of devils and the damned, and to the doctrine of preëxistence."

Hume, after expressing an enthusiastic admiration of Vane's dying deportment, thus speaks of his religious writings. "This man, so celebrated for his parliamentary talents, and for his capacity in business, has left some writings behind him. They treat, all of them, of religious subjects, and are absolutely unintelligible. No traces of eloquence or even of common sense appear in them."

Nothing is more curious than the entirely different views, which discerning and discriminating minds sometimes take of the same subject. In "The North American Review" for October, 1832, the editor (Mr. Alexander H. Everett) relates a conversation held between Sir James Mackintosh and himself, at London, in 1817. On that occasion Sir James, speaking of the English Calvinists, says; "Sir Henry Vane was one of

the most profound minds that ever existed, not inferior, perhaps, to Bacon. His works, which are theological, are extremely rare, and display astonishing powers. They are remarkable as containing the first direct assertion of the liberty of conscience."

Thus we see, that the writings, which to the mind of Hume were "absolutely unintelligible," and exhibited "no traces of eloquence or common sense," in the estimation of Mackintosh displayed "astonishing powers," and entitled their author to the superlative praise of being "one of the most profound minds that ever existed"! In such a case, we must each exercise an impartial and independent discernment, and judge for ourselves what is right.

The alleged obscurity in Vane's writings was occasioned in part by a cause which Clarendon expresses in the following manner. "The subject matter of them was of so delicate a nature, that they required another kind of preparation of mind, and, it may be, another kind of diet, than men are ordinarily supplied with." The subjects of which Vane treated are of the most difficult kind. Readers, in general, are unfamiliar with the topics, and unacquainted with the phraseology, of those branches of divinity, in which his mind delighted to indulge its meditations. Men of the world, lovers of pleasure, and votaries of ambition

cannot understand, any more than they can enjoy them. There is more truth in Clarendon's sarcasm, perhaps, than he was aware of. It would have required a very different "preparation of mind," and perhaps "another kind of diet," for the ambitious and worldly minister of the most licentious and depraved of courts, and the most profligate of monarchs, to appreciate the pure and spiritual conceptions of the acute theologian and heavenly-minded Christian philosopher.

Mackintosh, it has been seen, classes Sir Henry Vane with the Calvinists, and it is probable that he would fall under that denomination more justly than under any other. He was, however, so thoroughly conversant with Christian science, and his mind was so liberal and enlarged, that, while he held his own views in a high and spiritual sense, he sought to imbibe more truth from every system of faith, and every form of religion. Christian truth was not to him a mere intellectual and barren system of speculative opinions; not one article of faith was permitted to be of that character in his mind. But, around every doctrine of Scripture, his noble genius, exuberant imagination, and hallowed affections gathered a living and life-giving spirit of warmth, and love, and energy.

His zeal was regulated by knowledge, and tempered with charity. He was the unchanging and consistent advocate of religious liberty; and

the charge of fanaticism was fixed upon him chiefly for this reason. It was thought impracticable to attempt what he uniformly urged, and faithfully labored to promote, a universal toleration of sects and opinions. He wished all Christians to be perfectly free, and, in the eye of the law, to be regarded as equals. He was opposed to exclusive privileges in the government of church, as well as state. He equally abhorred every form of persecution or bigotry, whether exercised by political or ecclesiastical institutions, by societies or individuals; and he proved the sincerity of his principles by carrying them out in practice, without partiality or exception, even when their operation was in favor of those, whose sentiments he most disliked. He dreaded the power of the Pope, and opposed the Church of Rome; but, true to his principles, exerted himself to promote the cause of Catholic emancipation, although in so doing he incurred the displeasure of almost all his Protestant contemporaries, and brought down upon his own head the denunciations of Richard Baxter himself;* and when John Biddle, the founder of the denomination of Unitarians in England, was arraigned for publishing his sentiments, Sir Henry

* London Monthly Repository, Vol. XVIII. pp. 257, 258. ORME's *Life of Baxter*, Vol. I. p. 82.

Vane, the enthusiastic champion of the Genevan Calvinists, stepped forth in his defence, and labored, with untiring zeal and the most resolute perseverance, to protect him from the blind intolerance of the age. But he labored in vain; and poor Biddle, after years of imprisonment and persecution, perished, at last, in a narrow and noisome dungeon.*

The following passage from the writings of Sir Henry Vane will show in what light he regarded the divisions and conflicting parties in Christendom.

"There are many churches in the world, that make a profession of the name of Christ, under several forms and denominations, according to the variety of judgments and interests of the rulers and members thereof. There is a church called Catholic or universal, headed by the Pope, who pretends to be Christ's vicar. There are also national churches, headed either by a civil magistrate, as the Church of England, or by general assemblies, as the Church of Scotland hath been, with other Reformed churches. There are also particular, independent, Congregational churches, distinguishing themselves into variety of sects and diversity of judgments and opinions,

* London Monthly Repository, Vol. XIII. p. 347. Toulmin's *Life of Biddle*, p. 33.

as well about the way and order of the word in matters of worship and the service of God, as in what they hold fundamental in matters of faith. These all make up one body, as to the owning and upholding a church in some outward, visible form, who, notwithstanding all their differences and protestings against one another, do generally agree together in one mind, as to the preferring of the church in name, show, and outward order, before what it is in spirit and truth, as it is the real and living body of Christ.

"Hence it is that the true church indeed, the very living, real, spiritual members of Christ's body, have been for many hundred years a dispersed, captivated people, under all worldly powers, civil or ecclesiastical, and never been suffered to use or enjoy freedom in their communion together, and the purity of God's service and worship; but are, upon one pretence or other, restrained by human laws, and suppressed as heretics, schismatics, fanatics, and such as turn the world upside down; while those that have the repute and credit to be the church or churches of Christ, under some one of the forms and outward orders before mentioned, have the powers of the world on their side, and are contending one with another, who shall be uppermost and give the rule of conformity in doctrine, worship, and church-

order, to all the rest by compulsion and persecution." *

Sir Henry Vane extended his toleration beyond Christian sects and professors, to men of all religions, chiefly for this reason. He regarded Christianity as a spiritual religion, the vital essence of which resides in the hearts of its followers; and he indulged the benevolent and liberal belief, that the moral and spiritual excellence, which is the substance of true religion, might be found in the minds and characters of Gentiles and Jews; and that, wherever it existed, it marked its possessor as a Christian, although living in an age and country where the name of Christ had never been heard. He, therefore, did not dare to exclude even the heathen from his charity, for fear that he might, in so doing, shut out those whom Christ, the great head of the church, would, at the final day, acknowledge and welcome as his own. The following passage will exhibit his mode of thinking on this point.

"But indeed, this assertion is so far from straitening or lessening the number of those that are the true heirs of salvation, that it rather discovers how they may lie hid, as they did in Elijah's time, out of the observation of visible professors, (*amongst those that they exclude as heathens,*) and

* Sikes's *Life of Vane*, p. 45.

be *comprehended by Christ*, their spiritual head, when as yet they may not have their spiritual senses brought forth into exercise, so as *to apprehend him;* but may be *babes in Christ*, walking as men, 1 Cor. iii. 1, 3, undistinguished from the rest of the world. And although they may, in that respect, seem to be *men in the flesh*, yet they may *live according to God in the spirit, and find acceptance in the beloved one;* whilst they themselves may either be *without law*, exercising a CHASTE NATURAL CONSCIENCE, or may be *under the law*, believers so *zealous of the law*, as to flie in the face of Paul himself, for witnessing a higher light than they have yet experience of, or can bear." *

He thus clearly defines the extent of the authority of the civil magistrate.

"When the Scripture saith that the rule of magistracy is over men, we are to understand by this term the proper sphere, bounds, and limits of that office; which is not to intrude itself into the office and proper concerns of Christ's inward government and rule, in the conscience, but is to content itself with the outward man, and to intermeddle with the concerns thereof in reference to the converse which man ought to have with man,

* Retired Man's Meditations, p. 213.

upon the grounds of natural justice and right, *in things appertaining to this life.*" *

"Magistracy, then, is the rule, which God hath ordained to be exercised over the outward man, by man himself qualified thereunto, to act in righteousness and the fear of the Lord, in discharge of this his high trust; and so is an office merely respecting rule and government of men in their outward concerns, which is capable of being rightly used or not, according as the persons intrusted therewith are qualified and do exercise the same, the office itself being good, and the end for which it is set up being according to God's ordinance." †

He thus expresses, in connexion with the foregoing definition of the office of magistrates, the duty of endeavoring to make constant improvement in the forms and institutions of civil government.

"As the principles of natural justice and right, in their highest improvement, are to be their rule; so the fear of the Lord should oblige them in an humble dependency upon him, and trembling posture of mind before him, to be watchful, in not suffering any thing to be done by them, that may carry in it hinderance or opposition to the breaking in of higher discoveries upon them, as to the very exercise of the magistratical office,

* Ibid. p. 389. † Ibid. p. 390.

in the purity and perfection wherein it is promised to be brought forth in the last days by Christ himself; unto which they should always have willing and ready minds, to make way and to submit." *

The following passage presents his view of the way in which such a magistracy, as he held to be consistent with, and necessary to the full enjoyment of, civil and religious liberty, might be constructed and established by the English people.

"For, if once the Lord be pleased so far to enlighten the minds of men in these nations, governors and people, as to show them the good of magistracy, as it is in its primitive institution, and is held forth in promise to be restored in the last days; it will then be their desire and delight to inquire and consider, in a way of free debate and common consent, on behalf of the good people of these nations, how the rule over them may be brought nearest to its first institution and original pattern, in the exercise and practice thereof amongst them, (founded upon the principles of natural right and justice, and so exclusive to all private interest and personal concern of any singulars that shall be found to stand in competition with, or preference to, the good of the whole,) and how that, which is the ordinance

* Retired Man's Meditations, p. 390.

and institution of God, may also become the ordinance and statute of man, established in a free and natural way of common consent, to the reuniting of all good men as one man, in a happy union of their spirits, prayers, and counsels, to resist all common danger and opposition, which by devils or men may be raised against them." *

In order to illustrate Sir Henry's mode of treating the abstract and speculative subjects of religion, I will extract a few passages from his discussion of the *fall of man*. The reader will perceive in them, together with a remarkable clearness of discrimination and richness of expression, a subtilty and acuteness of reasoning, which might naturally enough be mistaken for obscurity.

"In the *tree of knowledge of good and evil*, man had the sight of himself, in the exercise of his natural life and the operations pertaining to him, as he *became a living soul;* in the well or evil use whereof he might arrive unto the experience of the supreme good, held forth to him as the end of his creation, the endless life that was to follow; or else he might come, by the forfeiture of the present good he enjoyed, to know the evil of a much worse condition than at first he had; for the avoiding of which, and to continue in a posture meet to receive the other, God required

* Ibid. p. 395.

him, in the state of innocency, to abide in a waiting frame of spirit, as *a sojourner and stranger* in the midst of his present enjoyments in the earthly Paradise, that so, through his patient forbearance from taking up his rest or terminating his delight in seen things, he might preserve in himself an unengaged, unprejudiced spirit to what was yet behind of the counsel of God to be communicated to him, as to a more excellent attainment and inheritance to be exhibited to him in the light of the approaching day of the Lord, the beamings forth whereof, as considered in type, were already present."

"Now man (being furnished with a reasonable soul and all the excellencies of its operations, with freedom of will to choose the good and refuse the evil, honored also with the sovereignty over the creatures) in this fair posture of preparation to receive more, was nevertheless seduced, ensnared, and made a prey of by Satan, sin, and death, to the rendering (as it were) abortive all that work which was already passed upon him, and to the letting in of sin and death, with the deserved curse and wrath of God, through him, as through a door, upon all his posterity.

"The occasion of this was twofold; first, the present enjoyment of good from God under the ministry of the first covenant, the fruit of which, to the eye of flesh and blood even at its best, was

so glorious and appeared so beautiful and desirable, that man was easily persuaded that it was the best and highest attainment he needed to look after; and thereby, through Satan's subtilty, rendered secure and negligent as to the use of means given by God to carry him on, pass him through, and conduct him out of this his corruptible state, as from glory to glory, into the power of an endless life (without the intervening of sin) to the full and perfect securing of man's nature from all prevailing power of sin's assaults for ever, which was not done by creation.

"The second occasion of man's fall was the freedom of his will, wherein the judging and desiring faculties of his mind were entirely committed by God to his own free motion and operation, upon the terms of the covenant he was brought into with God; which was, to be dealt with according unto his works, to be rewarded with life or with death, as he should rightly order or abuse this liberty of action, with which God had invested him by way of trial and probation. That man had such a power of free will as this,

"First, the nature and tenor of the covenant he was taken into doth demonstrate; which is conditional in reference to the works of man; and God throughout deals with man, under that covenant, according to his works, strongly thereby asserting them to be man's own; so as the very

reward, which comes thereby, is accounted to him of debt, even the thing which his own action (as left alone unto himself therein) hath brought upon him, and entitled him unto.

"Secondly, without such a power of free will, man's first estate could not have been mutable, at least could never have changed into corruption; for if it had been necessary to him to have stood, he could not have fallen; and if it had been necessary to him to fall, God had thereby made himself the author of sin, which could not be."

"That which Adam was forbidden, was not simply to forbear the use of his free will, but the evil and unlawful use of it, as (through an unwise discerning and erroneous judging between the present temporary good which he saw, and the future durable excellency of the things unseen and but in hope,) there did spring up an inordinate coveting and desire in him after the retaining of the first, to the despising and rejecting of the second." *

These passages sufficiently indicate the nature of the views and speculations in which Sir Henry Vane indulged. They show his acute and discriminating powers of reasoning, and the refined and spiritual conceptions he was inclined to form respecting the most abstruse and forbidding doc-

* Retired Man's Meditations, pp. 55, 58.

trines and topics of theology. Such discussions have, to a considerable degree, passed out of vogue in our day, and many of the speculations of the class of writers, to which he belonged, have become obscure and unintelligible to the generality of readers; but those who have a taste for them, and are at all familiar with them, will hardly, in any other author, find a deeper or a richer vein.

In June, 1641, a great debate took place in the House of Commons concerning Episcopacy, occupying nearly twenty days, and producing an extraordinary degree of excitement through the country. The enemies of the church adopted an order of proceeding which was well adapted to worry out its friends. They procured the passage of a resolution, that when, at the close of each of its sittings, the committee of the whole rose and reported progress to the House, every vote passed that day in committee should be finally acted on by the House previously to its adjournment. This gave an opportunity to debate every motion twice each day, once in committee, and once in the House, and led to such protracted sessions, that the patience of those members who were comparatively indifferent to the question was exhausted; and, by the time the votes were taken, they had mostly retired from the House. The opposition, in this way, gained

much advantage, which gave rise to a characteristic remark, by the celebrated Lord Falkland, that, "they who hated bishops, hated them worse than the devil; and that they who loved them, did not love them so well as their dinner." In this famous debate, Sir Henry Vane took a leading part. It was the custom, at that time, as it now is in the Congress and other legislative assemblies of the United States, to publish in a separate pamphlet form the most important speeches of distinguished members. That of Sir Henry Vane in the Episcopal debate was thus published, and is presented to the reader entire, just as it was originally printed. It will be found at the end of this memoir, and will be regarded with interest, as a specimen of Sir Henry's manner, and of the parliamentary oratory at the time. It exhibits one side of a controversy, which absorbed the public attention, and, more than all other causes, precipitated the downfall of the government of Charles the First. Whatever may be thought of the sentiments or arguments of this speech, no one will probably be able to discern any of the "peculiar darkness" of which Burnet speaks, or to agree with Hume, that it is "absolutely unintelligible."

The proceedings in reference to the Episcopal Bill were interrupted by the civil commotions and warlike preparations of the times. It is a re-

markable circumstance, that the same question, under almost the same forms, is, at this very day, the topic upon which the public mind in England is exercised with a predominating interest. The reformers, who now complain of the "unhappy condition the civil state is in, whilst the Bishops have a vote in the Lords' House," are not uttering novelties, but merely repeating the language with which the halls of Parliament resounded, and England rang from side to side, nearly two hundred years ago.

When the Assembly of Divines was summoned to deliberate on the state of the church and the interests of religion, Sir Henry Vane was nominated by the Parliament one of its lay members; and in the consultations of that grave and learned body he distinguished himself by his theological attainments, as well as by his skill and influence in debate.

CHAPTER X.

Civil War. — Solemn League and Covenant. — Treaty with the King. — Vane's Speech. — Colonel Pride's Purge. — Rump Parliament. — Vane retires from Parliament. — Execution of the King. — Vane returned to the Administration of the Government. — Conducts the naval War with Holland. — Blake and Van Tromp. — Vane reports to Parliament a Bill for Parliamentary Reform. — Milton's Panegyric upon Him.

The course of events was rapidly drawing on that crisis in which all theological and theoretical discussions would have to give place to military operations, and every other contest be hushed in the louder controversy of arms. The King and the Parliament had put their cause to the issue of battle, the resources of the country were all drawn out in support of the combatants, and the sad traces of a civil and domestic war were already deeply imprinted on many a bloody field. Although very great success, considering the circumstances, had attended the cause of the Parliament, it was found necessary to procure additional reinforcements, in order to enable them to bear up

against the power of the King. The plan was accordingly devised of gaining the coöperation of the Scotch, by forming a close alliance with that nation. In June, 1643, commissioners were appointed to proceed to Edinburgh for this purpose. In mentioning the circumstance that Sir Henry Vane was one of these commissioners, Clarendon observes, "Therefore the others need not be named, since he was all, in any business where others were joined with him."

The mission was perfectly successful. The SOLEMN LEAGUE AND COVENANT was agreed upon; a complete union was formed between the patriots of England and Scotland, and upon a basis which also comprehended the Irish, and was adapted to secure their favor and aid. It is impossible to ascribe too much importance to the Solemn League and Covenant in determining the issue of the war. The alliance of France with the United States in the American Revolution was not more decisive of the independence of the latter, than the alliance with Scotland was of the triumph of the Parliament. It is very amusing to see with what sensibility the royalist historians speak of this brilliant and memorable diplomatic achievement, the glory of which they all ascribe to Sir Henry Vane alone. "There need no more be said of his ability," says Clarendon, "than that he was chosen to cozen and deceive a whole

nation, which excelled in craft and cunning, which he did with notable pregnancy and dexterity."

Hume also gives the credit of the transaction to Sir Henry, although he cannot, any more than Clarendon, refrain from mingling a little abuse with his praise. "In this negotiation," says he, "the man chiefly trusted to was Vane, who in eloquence, address, capacity, as well as art and dissimulation, was not surpassed by any one, even during that age so famous for active talents. By his persuasion was framed at Edinburgh the Solemn League and Covenant."

On the return of the commissioners to London, Sir Henry Vane made a full report of their proceedings, which were approved and confirmed by the Parliament. His name, being next to that of Cromwell on the list, was subscribed to the Covenant on the 22d of September. The alliance was thus solemnly ratified. The strength of all the opponents of Charles's government was collected and concentrated, and from that moment the tide of success continued to follow the arms of the Parliament until the monarchy was overthrown.

Sir Henry Vane was a prominent member of all the commissions, which were appointed from time to time to treat with the King, and was also employed as one of the Parliament's committee, which, on special seasons of emergency, accom-

panied their army in its movements, and exercised, in its stead, the whole authority of Parliament. He was thus continually engaged, in public and in private, on the floor of the House and in committees, in council and in camp, laboring without intermission in the service of the country and of the republican cause.

During the negotiations with the King, he manifested a fixed resolution to do all that could be done to make the best of the opportunity the country then enjoyed, of securing to itself the blessings of liberty. He, therefore, resisted all attempts to make a compromise with the King, except upon a basis which would render it impossible for the executive branch of the government ever again to encroach upon the rights of the people; and he was desirous of proceeding, as a Parliament, to settle the government, and organize anew all the civil institutions of the country, upon the principles of liberty and justice, without meddling with the person of the King, or removing him from his retreat, or in any way concerning themselves about him. But other counsels prevailed.

As the civil war continued to rage, the moral effects of such a state of things began to show themselves, not only in private life, but in the various institutions and relations of society. Passion, violence, and misrule, became more and

more prevalent. The military spirit gained the ascendency over every other. Military leaders began to usurp the powers which belonged to the civil departments of the government; and the army, that had won the victories of liberty, now turned their swords against her faithful guardians and violated her sacred form. Cromwell had long before permitted the fatal suggestions of a false and wicked ambition to steal in upon his soul. As the vision of a crown gradually became painted before his imagination, he developed more and more clearly the scheme of operations by which he was to secure its possession. And he pursued his purpose with the most immovable perseverance and consummate skill.

Mutual jealousies were artfully and industriously infused into the hearts of many of the leading members of the Parliament. Divisions were fomented, and party struggles provoked. A spirit of hostility towards the members of the legislature was diffused through the army, and the officers and men were persuaded and induced to believe that the state would never prosper, until they took its whole government into their own hands.

At length the hour arrived, when the conflicts of the several factions were to be brought to a crisis, and the principles of Sir Henry Vane put to the test of a most painful trial. The majority

in Parliament had manifested a disposition to close with the terms of the King, and again admit him to the throne. Vane was the leader of the republican minority who were firmly of opinion that those terms were not such as ought to be required for the future security of the public liberty and safety. The purpose, however, was formed by the ruling party in the House to accept the terms, and relinquish the controversy with the King. On the 1st of December, 1648, the commissioners appointed to treat with his Majesty appeared in the House, and their report became the occasion of a long and angry debate. The motion was made that the King's terms ought to be considered satisfactory and sufficient. And Sir Henry Vane led the way in opposition to it.

Clarendon gives the substance of his speech, which I will in part repeat, after again reminding the reader that it is from his enemies that in almost all instances, as in the present, we derive the materials of his history. It is a misfortune, not only to the fame of the individuals concerned, but, in a vastly greater degree, to the cause of liberty and truth, that we have to rely, for all that we can learn of many of the purest and noblest men that ever lived, upon the assertions and records of their bitterest foes.

"Young Sir Harry Vane," says Clarendon, "had begun the debate with the highest insolence and provocation; telling them, that they should that day know and discover, who were their friends, and who were their foes; or, that he might speak more plainly, who were the King's party in the House, and who were for the people. That they had been diverted from their old settled resolution and declaration, that they would make no more addresses to the King; after which the kingdom had been governed in great peace, and begun to taste the sweet of that republican form of government which they intended and begun to establish, when the Houses had, by clamor and noise, been induced and compelled to reverse their former votes and resolution, and enter into a personal treaty with the King; with whom they had not been able to prevail, notwithstanding the low condition he was in, to give them any security; but he had still reserved a power in himself, or at least to his posterity, to exercise as tyrannical a government as he had done; that all the insurrections, which had so terrified them, were now totally subdued, so that there was nothing wanting, but their own consent and resolution, to make themselves the happiest nation and people in the world; and to that purpose he desired, that they might, without any more loss of time, return to their former resolution of mak-

ing no more addresses to the King, but proceed to the settling the government without him."

These sentiments were in direct conflict with the previously determined course of the majority. Signs of disapprobation were heard during their delivery. The House refused to adjourn until the motion had been put, and, at five o'clock in the morning, the previous question was carried by a vote of 140 to 104. The main question was then taken, and it was resolved, 129 in the affirmative, and 83 in the negative, that the King's terms ought to be accepted. This vote was equivalent to a restoration of Charles to the government, and Sir Henry Vane considered it in this light; notwithstanding his own strong personal opposition, he bowed to the will of the majority, and regarded the war between the King and his Parliament as legally brought to a close.

Not so with Cromwell. His ambitious schemes and projects were too deeply involved to allow him to submit to the decision of Parliament. Apprehending such a result, he had hastened from his army to London, and on the morning of the 6th of December, the day after the vote of Parliament, a regiment of horse was stationed in front of the two Houses, and a regiment of foot was arranged along the passage leading to the lower House, and at their head, near the door, Colonel Pride was stationed with a list in his

hand, containing the names of those members whom he was directed to arrest. Forty-one were thus seized.

This extraordinary operation is commonly known under the name of "Colonel Pride's purge," and the Parliament which remained, was called scoffingly, by the Presbyterians and Royalists who had been ejected, "The Rump," a name which, in spite of the scorn in which it was originally applied, soon became invested with the most brilliant glory.

But Sir Henry Vane could not countenance or tolerate the transaction, although it removed his opponents from the House, and secured to his views and principles undisputed sway. He alone, of all the republicans, refused to partake in a triumph thus obtained. He could not look with composure upon the exercise of military force in violating the forms of a representative legislature. He understood the principles of republican liberty too well to be contented with such a course of procedure. He retired, from that hour, disgusted and shocked, to private life. And for the violence and bloodshed, which afterwards occurred, he is not, in any degree, responsible.

In the impeachment, trial, and execution of King Charles, Sir Henry Vane took no part, except to express his disapprobation of them. It was fortunate for him that he had retired from

Parliament before these events occurred. As his heart loathed the idea of bloodshed, he could not well have participated in bringing the King to the block; and, as he unquestionably believed him guilty of what was charged upon him, and had long before become convinced that monarchy was a curse to any country, he could not well have appeared in his defence.

As, in the providence of God, the blood of a misguided monarch was permitted to be shed by his irritated and injured subjects, we have cause to congratulate the friends of humanity and freedom, that the pure hands of liberty's purest champion were not dipped in it.

Whether the purpose of possessing himself of absolute power had not then been distinctly formed by Cromwell, or whether he felt that circumstances were not ripe for its execution, it is evident that he did not make any demonstration of such a design at the time of the King's death.

The bold and extraordinary proceeding of dethroning, impeaching, and beheading a monarch, by his own subjects, under the forms of law, an event which was regarded with universal astonishment, appalled every heart, and shook every throne in Europe, seems to have operated with a solemnizing influence upon the mind of Cromwell himself, driving from his bosom his unworthy and

selfish designs, and compelling him to feel, that, in order to justify to the nation, to the world, and to posterity, the extreme act of laying violent hands upon the sacred person and life of a lawful sovereign, it was necessary to administer the government, thus established in blood, upon the purest and most righteous principles. He accordingly endeavored to call into the government the best and ablest men the country afforded.

Charles suffered on the 30th of January, 1649. On the 17th of February a Council of state was installed, into whose hands the executive government of the nation was committed. Sir Henry Vane was appointed a member of the Council. Cromwell used great pains to induce him to accept the appointment, and, after many consultations, he so far prevailed in satisfying Vane of the purity of his principles in reference to the Commonwealth, as to overcome his reluctance again to enter the public service.*

* It is a circumstance of considerable interest, as indicating the importance attached to his services at this time, and also as illustrative of his own principles, that, in order to induce him to take a seat at the council-board, the form of oath, prepared for its members, was altered. As originally drawn up, it contained a clause approving of the proceedings in reference to the trial and condemnation of Charles. Sir Henry refused to take the oath with that clause, and it was accordingly stricken out.

He took his seat in the Council nine days after its instalment, and immediately entered, with his accustomed energy and ability, upon the duties of the office. He continued to be in the Council from 1649 to 1653. The powers exercised by that body were very great. They were intrusted with the entire command of the military force of England and Ireland, and were authorized to raise and control a navy, and to conduct the whole administration of the country in reference both to its offensive and defensive operations in war. Sir Henry Vane was for some time President of the Council, and, as Treasurer and Commissioner for the Navy, he had almost the exclusive direction of that branch of the public service. The foreign relations were wholly under his management. He planned and conducted the war with the United Provinces, in which Blake gathered his laurels, and won for his country the proud title of mistress of the seas; and he imparted his own patriotic and generous spirit to his countrymen by exhibiting an example of disinterested devotion to the public cause. In order to lighten the burden of the war, and to encourage the people to carry it on with vigor, he voluntarily relinquished, as has been before observed, the profits of the immensely lucrative office he held, and appropriated them to the common treasury.

It was in this period that the genius of England, "both in the cabinet and on the waves," shone forth with its most resplendent lustre. The fire of liberty seemed, for a time, to burn bright and clear in every heart, and its spirit to nerve every arm. The trident was shaken from the hand of Holland. The world resounded with the fame of the Commonwealth, and every place in the empire became subject to its power. Scilly, Jersey, Guernsey, the Isle of man, Virginia, and Barbadoes, one after another, all submitted.

But it was not without a desperate struggle that the Dutch surrendered their supremacy on the ocean. For more than three years the contest continued, and a series of naval engagements took place, which for the courage and resolution manifested on both sides, have never been surpassed. As the war advanced, the Dutch and English increased their naval armaments, and seemed to gather strength from exhaustion. In November, 1652, Van Tromp, after immense preparations, in which the power of Holland was strained to the utmost, took the sea with a fleet of more than seventy ships, and falling in with Blake in the Downs, a most sanguinary and long protracted action took place. They fought as though they felt that the fate of both nations was suspended on the issue. Blake's fleet was much

less numerous than that of Van Tromp. After maintaining the conflict from noon until night, the English admiral retired, with considerable loss, up the river, and the victorious Hollander rode master of the ocean, and paraded his fleet up and down the English channel with a broom fixed to his mast-head, thus vaunting that he had swept his enemy from the sea.

The effect of this defeat was felt throughout England, as a deep misfortune. The national pride was wounded, and a general gloom and despondency pervaded the people. It was, of course, particularly disastrous to Sir Henry Vane, as he had promoted and conducted the war, which seemed to have been brought to so inglorious a close. It was supposed that the power of Britain was permanently broken down, and the period was commonly spoken of, at the time, "as the present day of England's adversity by her wars with Holland."

But Vane was not disheartened. His energy rose with the difficulties of his position. The battle was fought on the 29th of November. He reported the estimates of the expenses of the navy immediately to the House. On the 4th of December it was resolved, that one hundred and twenty thousand pounds per month should be appropriated to the support of the armaments by land and sea, of which forty thousand were for the

navy. The next point was, to raise the revenue to meet such an appropriation; and the genius of Vane was not for a moment at a loss to devise the means. On the 6th of December a bill was introduced and read a first and second time, to sell Windsor Park, Hampton Court, Hyde Park, the Royal Park at Greenwich, Enfield Castle, and Somerset House, the proceeds of the whole to be for the use of the navy; and, by the beginning of February, Blake put to sea with eighty ships of war, and soon fell in with Tromp, at the head of a squadron of equal size, convoying two hundred merchantmen. A battle commenced on the 18th of February, off the Isle of Portland, which, for the weight of the armaments engaged, the determined bravery of the combatants, the length of time during which it lasted, and the brilliancy of its results, far transcended every previous naval action on record, and, all things considered, may safely be said not to have been surpassed since. The battle raged incessantly for three days. The power of England at length prevailed. The Dutch lost seventeen or eighteen of their ships of war, and seventy of their merchantmen. From that moment to the present day, the supremacy of England, as a naval power, has never been, to any decisive extent, reduced or shaken.

But the genius of Sir Henry Vane was not confined to the conduct of foreign wars, brilliant and wonderful as was its exercise in that department. At this period of his life his labors were so various, so complicated, and so constant, that they were regarded as almost incredible. From an early hour in the morning until late at night, he was every moment engaged in the actual transaction of business. In May, 1649, he had been placed at the head of a committee of which Ireton and Algernon Sydney were members, to consider the state of the Representation; and, after the death of the King, and when the Commonwealth had become established, he reported a bill for REFORM in Parliament, which continued for a long time to engage the attention of the House whenever they had the necessary leisure to deliberate upon so important a measure. Every Wednesday was set apart for the discussion of its details, and there was good reason to indulge the hope that the bill would finally pass. The plan of the reform was this. The House was to consist of four hundred members, the small boroughs were to be disfranchised, the elective privilege was to be secured equally to persons of all religious persuasions, and the rights of the people were carefully guarded against corruption and oppression.

It was while Sir Henry Vane was thus conducting operations, which were covering the name of England with glory, and securing to her the position of the first commercial nation and naval power in the world, and at the same time contriving and constructing a just, and equal, and free government for her people, that his career of usefulness and honor arrested the attention of the great POET OF LIBERTY. John Milton addressed to him the following just tribute of praise.

"Vane, young in years, but in sage counsel old,
Than whom a better senator ne'er held
The helm of Rome, when gowns, not arms, repelled
The fierce Epirot, and the African bold,
Whether to settle peace, or to unfold
The drift of hollow states hard to be spelled;
Then to advise how war may best upheld
Move by her two main nerves, iron and gold,
In all her equipage; besides to know
Both spiritual power and civil, what each means,
What serves each, thou hast learnt, which few have done;
The bounds of either sword to thee we owe;
Therefore on thy firm hand Religion leans
In peace, and reckons thee her eldest son."

CHAPTER XI.

Cromwell's treasonable Ambition. — Disperses the Parliament by military Force. — Character of the Long Parliament. — Vane returns to private Life. — "Retired Man's Meditations." — Cromwell's religious Professions.

In the mean time Cromwell was maturing his plans, and preparing for their execution. There is much reason to believe, as has already been intimated, that he had long allowed himself to indulge the ambition of becoming supreme in the government. As far back as the battle of Worcester, Hugh Peters had expressed such a suspicion, suggested by Cromwell's conversation and deportment while travelling with him on the road shortly after that victory had heightened his brilliant fame, and thrown unbounded power into his hands.* The traitorous and wicked thought was permitted to visit his mind until it became a familiar guest, and then every sentiment of patriotism, and every compunction of conscience fled at its approach.

He well knew that while the Long Parliament, that noble company, who had fought the great

* Harris's *Life of Cromwell*, p. 318.

battle of liberty from the beginning, remained in session, and such men as Vane were enabled to mingle in its deliberations, it would be utterly useless for him to think of executing his purpose. And he could not but perceive, that every hour of delay was dangerous, and might prove fatal to his plan. He knew that if the Reform Bill should be suffered to pass, and a House of Commons be convened, freely elected on popular principles, and constituting a full and fair and equal representation, it would be impossible ever after to overthrow the liberties of the people, or break down the government of the country. In such an event, too, the glory he had won at the head of his victorious army, and which had already been nearly paralleled by the splendid success of Vane in conducting the war upon the ocean, would be in danger of being eclipsed, at least in the minds of the more intelligent part of the nation, by the equally difficult and important services which the Parliament was rendering to the Commonwealth in the construction of a new form of government, which promised to combine the blessings of liberty and law, and to become universally popular throughout the country. Influenced by such considerations as these, Cromwell resolved upon his course, and determined to defeat, at every hazard, the passage of the bill. When all other means failed, and he found

that he could not stop the deliberations of the House, or throw out the bill, no alternative remained but by the use of military force and actual violence to dissolve and disperse the Parliament itself. And he formed the desperate purpose.

But, great as was the energy and firmness of his character, it was with difficulty that he could brace himself up to the perpetration of the criminal and audacious design. Oliver Cromwell was well acquainted with the principles of liberty and government. He was, at least in his speculative opinions, an intelligent and thorough Republican; and, in yielding to the tempting suggestions of a profligate ambition, he sinned against the light that was in him, and permitted himself to be drawn into what he knew and saw to be the vortex of guilt and infamy. He delayed the moment when the fatal blow was to be struck from day to day, until the last hour arrived; and then, putting a forcible restraint upon his conscience, and trampling reason and honor under foot, he rushed like a mad, blind man to the commission of the deed.

The bill originally presented by Sir Henry Vane had been amended and altered, committed and recommitted, times without number, during the years it had been pending in Parliament. At length it was brought into a form, in which it was prepared for the final action of the House.

Unfortunately no copy has been preserved of the bill in its matured shape. Ludlow informs us that it provided for an equal representation of the people, disfranchised several boroughs which had ceased to have a population in proportion to the representation, fixed the number of the House at four hundred, and, with the exception of a few of the largest cities which were to be allowed to send special representatives, the members were to be chosen in counties, apportioned as nearly as possible according to the sums charged upon them for the service of the state; and every man, with two hundred pounds in lands, leases, or goods, was to be an elector. If this bill had passed, although it was not all that the more enlightened republicans wished, it would unquestionably have confirmed the government, rescued the country from tyranny and misrule, and secured to England and to the rest of the world the blessings of republican institutions, two centuries earlier than can now be expected.

On the 20th of April, 1653, the House having concluded all the preliminary measures respecting the bill, nothing remained but to give it its third reading, and engross and enact it. A motion was made, that these forms be forthwith observed and the bill become a law; in the event of which motion passing, the Long Parliament would, according to the provision of the bill, be dissolved

and a new one be summoned. Harrison, who was in Cromwell's confidence on this occasion, rose to debate the motion, merely in order to gain time. Word was carried to Cromwell, that the House were on the point of putting the final motion; and Colonel Ingoldsby hastened to Whitehall to tell him, that, if he intended to do any thing decisive, he had no time to lose.

Cromwell at last, and evidently against the most powerful struggles of his conscience, roused himself for the occasion, and repaired to the House. He was drest in a suit of plain black, with grey worsted stockings. He took his seat, and appeared to be listening to the debate. As the Speaker was about to rise to put the question, Cromwell whispered to Harrison, "Now is the time; I must do it." As he rose, his countenance became flushed and blackened by the terrific passions, which the crisis awakened. With the most reckless violence of manner and language, he abused and aspered the character of the House; and, after the first burst of his denunciations had passed, suddenly changing his tone, he exclaimed, "You think, perhaps, that this is not parliamentary language; I know it; nor are you to expect such from me." He then advanced out into the middle of the hall, and walked to and fro, like a man beside himself. In a few moments he stamped upon the floor, the doors

flew open, and a file of musketeers entered. As they advanced, Cromwell exclaimed, looking over the House, "You are no Parliament; I say you are no Parliament; begone, and give place to honester men."

His whole manner was like that of a person who had surrendered himself up to a design, which his mind and heart equally condemned. To stifle the voice of reason and conscience, he seemed to resort to the most extravagant gestures, exclamations, and actions. He sought refuge, from the compunctions of his better nature, in the transports of blind fury. Raising his voice to a loud pitch, he poured forth invectives and reproaches against the leading members, calling them by name, in language so gross and indecent as would have shocked the most vulgar and depraved ears. He ordered the Speaker to leave the chair; and, when his eye fell upon the mace, he shouted out, "What have we to do with that fool's bawble? Take it away."

While this extraordinary scene was transacting, the members, hardly believing their own ears and eyes, sat in mute amazement, horror, and pity of the maniac traitor who was storming and raving before them. At length Vane rose to remonstrate, and call him to his senses; but Cromwell, instead of listening to him, drowned his voice, repeating with great vehemence, and as though

drunk with the desperate excitement of the moment, "Sir Harry Vane! Sir Harry Vane! Good Lord deliver me from Sir Harry Vane!" He then seized the records, snatched the bill from the hands of the clerk, drove the members out at the point of the bayonet, locked the doors, put the key in his pocket, and returned to Whitehall. On reaching his palace, he related the exploit, and in conclusion observed, "When I went to the House, I did not think to have done this. But, perceiving the spirit of God so strong upon me, I would no longer consult flesh and blood!"

Thus was the melancholy lesson of history again repeated to a world that, alas! seems to be determined never to profit by it. In one short hour, a great hero and patriot blasted his own glorious fame for ever, the cause of liberty was openly trodden under foot, and the reign of despotism established by a bold military usurper, in a country which had been struggling for years in the conflict for liberty, and whose soil was still wet with the blood of a lawful and constitutional monarch, whom the people had sacrificed for the purpose of securing themselves against an arbitrary and absolute government.

In relating the dispersion of the famous Long Parliament, it is impossible not to pause for a moment and contemplate the character of this

renowned body, as it has been painted both by friends and foes. Justice has not been done them, and until the history of their proceedings is better known, that of England itself cannot be written or appreciated. Ludlow, who knew its members well, speaks of this Parliament in the following terms, which are not stronger than truth requires.

Thus Cromwell contrived "to be rid of this Parliament, that had performed such great things, having subdued their enemies in England, Scotland, and Ireland, established the liberty of the people, reduced the kingdom of Portugal to such terms as they thought fit to grant, maintained a war against the Dutch with that conduct and success that it seemed now drawing to a happy conclusion, recovered our reputation at sea, secured our trade, and provided a powerful fleet for the service of the nation. And, however the malice of their enemies may endeavor to deprive them of the glory which they justly merited, yet it will appear to unprejudiced posterity that they were a disinterested and impartial Parliament, who, though they had the sovereign power of three nations in their hands for the space of ten or twelve years, did not in all that time give away among themselves so much as their forces spent in three months."

Algernon Sydney says, "When Van Tromp set upon Blake in Folkestone Bay, the Parliament had not above thirteen ships against three score, and not a man that had ever seen any other fight at sea, than between a merchant ship and a pirate; to oppose the best captain in the world. But such was the power of wisdom and integrity, in those that sat at the helm, and their diligence, in choosing men only for their merit, was attended with such success, that in two years our fleets grew to be as famous as our land armies, and the reputation and power of our nation rose to a greater height than when we possessed the better half of France, and had the Kings of France and Scotland for our prisoners."

But even their opponents could not refrain from acknowledging the merits of this illustrious legislature. Roger Coke, whom Godwin describes as "a bitter and scornful enemy" of the Parliament, thus speaks of them; "To say the truth, they were a race of men most indefatigable and industrious in business, always seeking for men fit for it, and never preferring any for favor, nor by importunity. You scarce ever heard of any revolting from them; no murmur or complaint of seamen or soldiers. Nor do I find that they ever pressed any in all their wars. And as they excelled in the management of civil affairs, so it must be owned that they exercised in matters ec-

clesiastic no such severities, as either the Covenanters, or others before them, did upon such as dissented from them. Nor were they less forward in reforming the abuses of the common law."

When Cromwell had thus established his authority on the ruins of the Commonwealth, Sir Henry Vane retired to his estate at Raby Castle, and, in the bosom of his family and the pursuits of learning, philosophy, and religion, waited with patience for the day to come when he could again be of service to the "good cause," as he termed it, of the people's rights and liberties.

It was during this period of retirement that he wrote and published his principal theological work, being a quarto volume of about four hundred and thirty pages, from which extracts have already been made. The following was its title. "The Retired Man's Meditations, or the Mystery and Power of Godliness shining forth in the Living Word, to the Unmasking the Mystery of Iniquity in the most refined and purest Forms. And withall presenting to View, I. The Riches and Fulness of Christ's Person as Mediator. II. The Natural and Spiritual Man, in their proper Distinction. III. The Reign and Kingdom of Christ, in the Nature, Limits, and Extent thereof, as well in his Saints, as over his Enemies. In which Old Light is restored, and New Light justified, being the Witness which is given to this Age by Henry Vane, Knight."

He also published at this time a political work, in quarto, entitled "A Letter from a true and lawful Member of Parliament to one of the Lords of his Highness's Council."

At length he was again brought before the public, under circumstances of considerable interest, which I will proceed to explain.

Cromwell had risen to power on the strength of that party in the nation, which consisted of the persons who were sincerely and deeply engaged in the subject of religion. He first brought himself into notice, by the superior valor and prowess of his own regiment, which he had raised on the principle, that no one should enter its ranks who was not a praying Christian. He well knew, that men actuated by a sincere religious zeal could, more than all others, be relied upon in the hour of trial, and at the post of danger. His troop was accordingly distinguished for every quality that was desirable in a military association. They were hardy, because they were temperate and virtuous; and they would cheerfully advance to every scene of peril, even to "the imminent deadly breach," because their hearts were sustained by that lofty spirit of holy enthusiasm, which, more than any other spirit, "casteth out fear."

Knowing the importance of preserving the confidence of such men, the Protector was studiously

careful to manifest an apparently deep and absorbing interest in religion and its exercises. And he acted his part with inimitable skill, unfailing adroitness, extraordinary ability, and wonderful success. Whenever affairs looked inauspicious and troubles gathered around his administration, his invariable refuge was in the religious zeal of the people. Long practice had made him perfectly acquainted with their sentiments and feelings, and with the ideas and associations, on religious subjects, with which their minds were familiar; and he could, in a moment, and with the most exact precision, touch the spring, which would instantly revive their sympathy, and renew their zeal in his government.

In pursuance of this policy, Cromwell published, on the 14th of March, 1656, a declaration, calling upon the people to observe a general fast for the purpose of "applying themselves to the Lord to discover the Achan, who had so long obstructed the settlement of these distracted kingdoms." It is remarkable, that, whenever Cromwell contemplated any measure that was of an arbitrary and critical character, in order to blind the eyes of the people, and secure the support of the religious party, he would assume, as he so well knew how, the garb of great sanctity, humility, and self-abasement. Accordingly, on this occasion, as he was just

preparing to develope his plan of making himself a king, and settling the crown upon his descendants for ever, he expressed the idea in his proclamation that he and others associated with him in the government desired to humble themselves before God for their sins, that they earnestly longed for light that they might discern their errors and faults, and that it became them, with a spirit of lowliness and minds open to conviction, to receive counsel and direction, in whatever methods Providence might adopt to instruct and guide them.

CHAPTER XII.

The "Healing Question." — First Proposal of a Written Constitution. — A Constitution defined and described. — Extracts from the "Healing Question." — Remarks.

Much to the surprise and indignation of Cromwell, Sir Henry Vane took him at his word, and composed a tract, the object of which was, to state his view of the course, which ought to be adopted in order to settle the government upon such a basis, as would secure the interests of the people, and perpetuate their liberty. It was entitled "A Healing Question propounded and resolved, upon Occasion of the late public and seasonable Call to Humiliation in order to Love and Union amongst the honest Party, and with a Desire to apply Balm to the Wound, before it become incurable. By Henry Vane, Knight."

This production is one of the most remarkable political papers, ever written. It contains the great principles of civil and religious liberty, in a complete exposition, and lays down the rules to be observed in constructing a civil government. It developes and illustrates, perhaps it may with safety be said, for the first time, the idea of a

written constitution or body of fundamental laws, by which the government itself is to be controlled, restrained, and limited.* This plan of a constitution, to be agreed upon in the beginning, by which the people impose restrictions upon the exercise of their own sovereignty, and fix the boundaries, within which their own legislative and civil power shall be confined, constitutes the great peculiarity of the governments, federal and state, within the American union. It is the preservative principle of our institutions. It gives to their action the highest practicable and desirable degree of stability and consistency, and is the sure protection of minorities or individuals against oppression and injustice on the part of majorities, or of government as such. It distinguishes a Republic from a Democracy. The former is a limited, the latter an absolute government. A Republic is a free country. A Democracy is a despotism. In a Republic, the sovereignty is acknowledged to reside in the people, but is restrained in its exercise by a constitution, which marks the boundaries

* The paper signed by the Pilgrims, in the Mayflower, on the 11th of November, 1620, previous to their landing at Plymouth, is one of the most interesting documents in the history of civilization. But, as it is merely an agreement to form a political society, and does not contain any restrictions upon the future government of that society, it cannot be considered as a *constitution*, in the sense in which that word is used in the text.

of the authority of the people as a government, that is, as a sovereign, and secures against that authority, beyond those boundaries, the rights and freedom of individuals. In a democracy, the sovereignty is also acknowledged to be in the people; but no limitations are imposed upon its exercise, and the individual, or the minority, has no security or refuge from the power of the majority, and, of course, the government is absolute and despotic.

The governments of the North American Union were, in truth, the first limited governments the world ever witnessed. In England, the *monarchy* is limited, but the *government* is absolute. A bill passed by the Lords and Commons, and signed by the King, — an act of Parliament, — is the law of the land, and, whatever may be its enactments, will be sustained in the courts, and must be obeyed by the people. But in America, where written constitutions are placed at the foundation of the social organization, a portion of what is called *the sovereignty of the people* is fettered down, as it were, and rendered inoperative; so that, in reference to this portion, no power exists in the country to bind by law the action of the individual.

For instance, by the Constitution of the United States, the general government of the Union, and the governments of all the several States, are de-

clared incapable and are forbidden to "grant any title of nobility," to "pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts." The people have solemnly agreed and determined, and have recorded the agreement and determination, that no legislative proceedings shall ever be had, and no laws ever be passed, in the country, of the kind here specified.

In the beginning men may be considered as having entered into social relations voluntarily, and with a deliberate and express agreement in reference to the extent to which, as individuals, they should be subject to the civil power. As we have no records of any such compacts, it is impossible to determine how much authority was thus lodged in the hands of the state. Hence have arisen perpetual and interminable controversies respecting the extent of the civil power, that is, of the authority of the community over individuals. By written constitutions these controversies may be more or less avoided. In framing and adopting them, the people expressly ordain and determine the boundaries of the civil power, and mark out the sphere within which its action shall be confined.

In doing this, the people of a country must be considered, not merely as restraining their government, but as putting limitations to their own power as a people, as impairing their own sovereignty.

With respect to the points, upon which they may have forbidden their government to encroach, they have also deprived themselves of the power of acting. And this is in fact the case in the United States. *There is no power in the United States* to grant titles of nobility, pass bills of attainder, or *ex post facto* laws, or laws impairing the obligation of contracts. If all the people in the Union should call for such laws, if all the legislatures of the States and Congress itself should pass them, it would be the duty of the courts to declare them null and void; and, until the frame of government itself should be altered, they would be of no more force than so much blank paper. On these points, the people have shorn themselves of their sovereignty, and have made themselves free and secure from themselves. And this is the only way, in which the liberty of the individual can be rescued from the power of the community. It is the only sure and effectual bulwark of liberty. No other device has yet been discovered, by which the freedom of the citizen can be placed beyond the reach of the civil power; or by which the government, in a strict and adequate sense, can be limited. It is in this sense, that the American States are limited governments.

Sir Henry Vane was desirous of providing this security for the liberties of his countrymen, and

in his "Healing Question," proposed, so far as I can discover, for the first time in the history of the world, the expedient of organizing a government, as he expressed it, upon "certain fundamentals not to be dispensed with."

The extracts now to be made from this pamphlet will show the reader how clearly he had grasped this great discovery in political science. The work is fraught with practical wisdom and forecast, and may well be studied by the modern statesman, as illustrating some of the most important, and even some of what are regarded as the latest, improvements in the principles of government. As the "Healing Question" is not only intrinsically excellent and remarkable, but so rare as to have escaped the notice of most of the historians, of Hume, and perhaps even of Hallam himself, I shall not refrain from drawing largely from its pages.

It commences with a statement of the question, as follows;

"The question propounded is, What possibility doth yet remain (all things considered) of reconciling and uniting the dissenting judgments of honest men, within the three nations, who still pretend to agree in the spirit, justice, and reason of the same good cause, and what is the means to effect this?

"Answer. If it be taken for granted, (as on the magistrates' part, from the ground of their inviting the people of England and Wales to a solemn day of fasting and humiliation, may not be despaired of,) that all the dissenting parties agree still in the spirit and reason of the same righteous cause, the resolution seems very clear in the affirmative; arguing, not only for a possibility, but a great probability hereof, nay a necessity, daily approaching nearer and nearer to compel it, if any or all of the dissenting parties intend or desire to be safe from the danger of the common enemy, who is not out of work, though at present much out of sight and observation.

"The grounds of this are briefly these; first, the cause hath still the same goodness in it as ever; and is, or ought to be, as much in the hearts of all good people, that have adhered to it; it is not less to be valued now, than when neither blood nor treasure were thought too dear to carry it out and hold it up from sinking; and hath the same omnipotent God, whose great name is concerned in it, as well as his people's outward safety and welfare; who knows also how to give a revival to it, when secondary instruments and visible means fail, or prove deceitful.

"Secondly, the persons concerned and engaged in this cause are still the same as before, with the advantage of being more tried, more inured to

danger and hardship, and more endeared to one another, by their various and great experiences, as well of their own hearts as their fellow brethren's; these are the same still in heart, and desire after the same thing, which is, that, being freed out of the hands of their enemies, they may serve the Lord without fear in holiness and righteousness all the days of their lives.

"As they have had this great good finally in their aims (if declarations to men and appeals to God signify any thing), so, as a requisite to attain this, they did with great cheerfulness and unanimity draw out themselves to the utmost in the maintenance of a war, when all other means, first essayed, proved ineffectual. In the management of this war it pleased God, the righteous Judge, (who was appealed to in the controversy,) so to bless the counsel and forces of the persons concerned and engaged in this cause, as in the end to make them absolute and complete conquerors over their common enemy; and by this means, they had added unto the natural right, which was in them before, (and so declared by their representatives, in Parliament assembled,) the right of conquest, for the strengthening of their just claim to be governed by national councils, and successive representatives of their own election and setting up. This they once thought they had been in possession of, when it was ratified, as it were,

in the blood of the last king. But of late a great interruption having happened unto them in their former expectations, and, instead thereof, something rising up that seems rather accommodated to the private and selfish interest of a particular part (in comparison), than truly adequate to the common good and concern of the whole body engaged in this cause; hence it is, that this compacted body is now falling asunder into many dissenting parts (a thing not unforeseen, nor unhoped for, by the common enemy all along as their last relief); and if these breaches be not timely healed, and the offences (before they take too deep root) removed, they will certainly work more to the advantage of the common enemy, than any of their own unwearied endeavors, and dangerous contrivances in foreign parts, put all together.

"A serious discussion and sober enlarging upon these grounds will quickly give an insight into the state of the question, and naturally tend to a plain and familiar resolution thereof.

"That, which is first to be opened, is the nature and goodness of the cause; which, had it not carried in it its own evidence, would scarce have found so many of the people of God adherers to it within the three nations, contributing either their counsels, their purses, their bodily pains, or their affections and prayers, as a combined

strength, without which the military force alone would have been little available to subdue the common enemy, and restore to this whole body their just natural rights in civil things, and true freedom in matters of conscience.

"The two last-mentioned particulars, rightly stated, will evidence sufficiently the nature and goodness of this cause.

"For the first of these, that is to say, the natural right, which the whole party of honest men adhering to this cause are by the success of their arms restored unto, fortified in, and may claim, as their undeniable privilege, that righteously cannot be taken from them, nor they debarred from bringing into exercise; it lies in this.

"They are to have and enjoy the freedom (by way of dutiful compliance and condescension from all the parts and members of this society) to set up meet persons in the place of supreme judicature and authority amongst them, whereby they may have the use and benefit of the choicest light and wisdom of the nation, that they are capable to call forth, for the rule and government under which they will live; and, through the orderly exercise of such measure of wisdom and counsel as the Lord, in this way, shall please to give unto them, to shape and form all subordinate actings and administrations of rule and government, so as shall best answer the public welfare and safety of the whole.

"This, in substance, is the right and freedom contained in the nature and goodness of the cause wherein the honest party have been engaged; for in this all the particulars of our civil right and freedom are comprehended, conserved in, and derived from their proper root; in which whilst they grow, they will ever thrive, flourish, and increase. Whereas, on the contrary, if there be never so many fair branches of liberty planted on the root of a private and selfish interest, they will not long prosper, but must, within a little time, wither and degenerate into the nature of that whereinto they are planted."

After proceeding to illustrate the views, thus given, by showing how, after the Norman Conquest, the liberties of the people were gradually and insensibly undermined and taken away by the accumulation of power in the hands of rulers, who used it to promote their own selfish purposes, and to aggrandize the government which they had established, Sir Henry enters upon the remaining division of the subject. Another long extract is presented to the reader, from a persuasion that it will amply reward any one, who peruses it, in the clearness and fulness, with which it defines and expresses the all-important principle of religious liberty.

"The second branch which remains briefly to be handled, is that which also, upon the grounds

of natural right, is to be laid claim unto, but distinguishes itself from the former, as it respects a more heavenly and excellent object, wherein the freedom is to be exercised and enjoyed; that is to say, matters of religion, or that concern the service and worship of God.

"Unto this freedom the nations of the world have right and title by the purchase of Christ's blood, who, by virtue of his death and resurrection, IS BECOME THE SOLE LORD AND RULER IN AND OVER THE CONSCIENCE; for to this end Christ died, rose, and revived, that he might be Lord both of the dead and the living, and that every one might give an account of himself, in all matters of God's worship, unto God and Christ alone, as their own master; unto whom they stand or fall in judgment, and are not in these things to be oppressed or brought before the judgment-seats of men. For why shouldst thou set at nought thy brother in matters of his faith and conscience, and herein intrude into the proper office of Christ, since we are all to stand at the judgment-seat of Christ, whether governors or governed, and by his decision only are capable of being declared with certainty to be in the right or in the wrong?

"By virtue then of this supreme law, sealed and confirmed in the blood of Christ, unto all men (whose souls he challenges a propriety in, to

bring under his inward rule in the service and worship of God), it is, that all magistrates are to fear and forbear intermeddling with, giving rule, or imposing, in those matters; they are to content themselves with what is plain in their commission, as ordained of God to be his ministers unto men for good, whilst they approve themselves the doers of that which is good in the sight of men, and whereof earthly and worldly judicatures are capable to make a clear and perfect judgment; in which case the magistrate is to be for praise and protection to them. In like manner he is to be a minister of terror and revenge to those that do evil in matters of outward practice, converse, and dealings in the things of this life between man and man, for the cause whereof the judicatures of men were appointed and set up. But to exceed these limits, as it is not safe nor warrantable for the magistrate, (in that He, who is higher than the highest, regards and will show himself displeased at it,) so neither is it good for the people, who hereby are nourished up in a biting, devouring, wrathful spirit, one against another, and are found transgressors of that royal law, which forbids us to do that unto others, which we would not have them do unto us, were we in their condition."

It would be difficult to find the principle of religious liberty more clearly, justly, or powerfully

expressed than in the preceding extract. The writer goes on to develope the method by which it might be secured to the people, and suggests, as the reader will perceive, the idea of a FUNDAMENTAL CONSTITUTION.

"This freedom then is of high concern to be had and enjoyed, as well for the magistrate's sake as for the people's common good; and it consists, as hath been said, in the magistrate's forbearing to put forth the power of rule and coercion in things that God hath exempted out of his jurisdiction. So that all care requisite for the people's obtaining this may be exercised with great ease, if it be taken in its proper season, *and that this restraint be laid upon the supreme power before it be erected*, as a FUNDAMENTAL CONSTITUTION among others, upon which the free consent of the people is given to have the persons brought into the exercise of supreme authority over them and on their behalf; and if besides, as a further confirmation hereunto, it be acknowledged the voluntary act of the ruling power, when once brought into a capacity of acting legislatively, that herein they are bound up and judge it their duty so to be, (both in reference to God, the institutor of magistracy, and in reference to the whole body by whom they are intrusted,) this great blessing will hereby be so well provided for, that we shall have no cause to fear, as it may be ordered.

"By this means a great part of the outward exercise of antichristian tyranny and bondage will be plucked up by the very roots, which, till some such course be held in it, will be always apt to renew and sprout out afresh under some new form or refined appearances, as by late years' experience we have been taught."

The reader has observed in the foregoing extracts much that must have borne heavily on the conscience of Cromwell. The whole production, while it is throughout respectful, dignified, and free from personality, was adapted to hold up before him a picture which could not fail to be recognised as his own, to exhibit a view of the deformity of his past conduct, and to point out a course of procedure, which, however disagreeable to his selfish ambition, both his reason and conscience would tell him he ought to pursue. The reproofs and admonitions were for the most part expressed in such general terms that their bearing against Cromwell would only be perceived by himself, and those who knew how well he deserved them. In the following passage, however, Vane adopts a plainer and more direct style.

"The offence, which causes such great thoughts of heart amongst the honest party, (if it may be freely expressed, as sure it may, when the magistrate himself professes he doth but desire and wait for conviction therein,) is in short this;

"That when the right and privilege is returned, nay, is restored by conquest unto the whole body (that forfeited not their interest therein), of freely disposing themselves in such a constitution of righteous government as may best answer the end held forth in this cause; that nevertheless, either through delay they should be withheld as they are, or through design they should come at last to be utterly denied the exercise of this their right, upon pretence that they are not in a capacity as yet to use it; which indeed hath some truth in it, if those, who are now in power and in command of the arms, do not prepare all things requisite thereunto, as they may, and like faithful guardians to the Commonwealth, admitted to be in its nonage, they ought.

"But if the bringing of true freedom into exercise among men, yea, so refined a party of men, be impossible, why hath this been concealed all this while? And why was it not thought on before so much blood was spilt, and treasure spent? Surely such a thing as this was judged real and practicable, not imaginary and notional.

"Besides, why may it not suffice to have been thus long delayed and withheld from the whole body, at least as to its being brought into exercise now at last? Surely the longer it is withheld, the stronger jealousies do increase, that it is intended to be assumed and engrossed by a party only,

to the leaving the rest of the body, (who, in all reason and justice, ought to be equally participants with the other in the right and benefit of the conquest, forasmuch as the war was managed at the expense, and for the safety of the whole,) in a condition almost as much exposed, and subject to be imposed upon, as if they had been enemies and conquered, not in any sense conquerors.

"If ever such an unrighteous, unkind, and deceitful dealing with brethren should happen, although it might continue above the reach of question from human judicature, yet can we think it possible it should escape and go unpunished by the immediate hand of the righteous Judge of the whole world, when he ariseth out of his place to do right to the oppressed?"

After this solemn and searching admonitory reproof, Sir Henry proceeds with admirable ingenuity, to present such a view of events and affairs, as, without any personal allusion, made it clear to all eyes, that the ambition of Cromwell was the obstacle in the way of the establishment of a just and free government, that he was "the Achan who obstructed the settlement of these distracted kingdoms," and that, in preferring his own aggrandizement to the common good, and seizing an unlawful power, he had taken "of the accursed thing." (Joshua vii. 1.)

He then goes on to throw out some general views respecting government, in the course of which he thus expresses himself. "It is not denied but that the supreme power, when by free consent it is placed in a single person, or in some few persons, may be capable to administer righteous government; at least the body that gives this liberty, when they need not, are to thank themselves if it prove otherwise." He also recommends that it should be made an article of the "Constitution," that the executive and legislative powers should be vested in different branches of the government. And in the following passage he delineates the course of proceedings by which a constitution might be agreed upon, and established. The method, it will be observed, is the same, in substance, that was adopted more than a century afterwards, in the North American States.

"The most natural way for which would seem to be by a general council, or CONVENTION of faithful, honest, and discerning men, chosen for that purpose, by the free consent of the whole body of adherents to this cause, in the several parts of the nations, and observing the time and place of meeting appointed to them, (with other circumstances concerning their election,) by order from the present ruling power, considered as general of the army.

"Which convention is not properly to exercise the legislative power, but only to debate freely, and agree upon the particulars, that, by way of fundamental constitutions, shall be laid and inviolably observed, as the conditions upon which the whole body so represented doth consent to cast itself into a civil and politic incorporation, and under the visible form and administration of government therein declared, and to be by each individual member of the body subscribed in testimony of his or their particular consent given thereunto. Which conditions so agreed (and amongst them an act of oblivion for all) will be without danger of being broken or departed from, considering of what it is they are the conditions, and the nature of the convention wherein they are made, which is of the people represented in their highest state of sovereignty, as they have the sword in their hands unsubjected unto the rules of civil government, but what themselves, orderly assembled for that purpose, do think fit to make. And, the sword, upon these conditions, subjecting itself to the supreme judicature thus to be set up, how suddenly might harmony, righteousness, love, peace, and safety unto the whole body follow hereupon, as the happy fruit of such a settlement, if the Lord have any delight to be amongst us."

After again reminding "the general," that it became him to make the first move in bringing about such a happy result, he approaches the conclusion in language of the most earnest exhortation, of which the following passage is a specimen.

"This then being the state of our present affairs and differences, let it be acknowledged on all hands, let all be convinced that are concerned, that there is not only possibility but probability, yea a compelling necessity of a firm union in this great body, the setting of which in joint and tune again, by a spirit of meekness and fear of the Lord, is the work of the present day, and will prove the only remedy, under God, to uphold and carry on this blessed cause and work of the Lord in the three nations, that is already come thus far onwards in its progress to its desired and expected end, of bringing in Christ, the desire of all nations, as the chief ruler amongst us.

"Now unto this reuniting work let there be a readiness in all the dissenting parts, from the highest to the lowest, by cheerfully coming forth to one another in a spirit of self-denial and love, instead of war and wrath, and to cast down themselves before the Lord, who is the Father of all their spirits, in self-abasement and humiliation for the mutual offence they have been in for some time past, one unto another, and great provoca-

tion unto God and reproach unto his glorious name, who expected to have been served by them, with reverence and godly fear, for our God is a consuming fire."

As Sir Henry Vane composed this treatise with a sincere desire to awaken the conscience of Cromwell, and still entertained some hope that he might be brought back to the service of that cause, of which he had formerly been so glorious a champion, he was studiously careful to blend with great fidelity in admonishing and reproving him, the most perfect kindness and respectful tenderness towards his person and character. This spirit appears particularly in the conclusion.

"What hath been done amongst us may probably have been more the effect of temptation than the product of any malicious design; and this sort of temptation is very common and incident to men in power (how good soever they may be), to be overtaken, and thereupon do sudden, unadvised actions, which the Lord pardons and overrules for the best; evidently making appear, that it is the work of the weak and fleshly part, which his own people carry about with them too much unsubdued. And therefore the Lord thinks fit by these means to show them the need of being beholden to their spiritual part to restore them again, and bring them into their right temper and healthful constitution.

"And thus whilst each dissenting part is aggravating upon itself faultiness and blame, and none excusing, but all confessing they deserve, in one sort or other, reproof, if not before men, yet in God's sight; who knows how soon it may please God to come into this broken, contrite, and self-denying frame of spirit in the good people within the three nations, and own them, thus truly humbled and abased, for his temple, and the place of his habitation and rest, wherein he shall abide for ever? of whom it may be said, God is in the midst of her, she shall not be moved; God shall help her, and that right early, or with his morning appearance. At which time he will sit silent no longer, but Heaven will speak again, and become active and powerful in the spirits and hearts of honest men, and in the works of his providences, when either they go out to fight by sea or by land, or remain in counsel and debates at home for the public weal, and again hear the prayers of his people, and visibly own them, as a flock of holy men, as Jerusalem in her solemn feasts. 'I will yet for this be inquired of by the house of Israel, saith the Lord, to do it for them; and then they shall know that I the Lord their God am with them, and that they are my people, and that ye, my flock, the flock of my pasture, are men, that have showed yourselves

weak, sinful men, and I am your God, that have declared myself an all-wise and powerful God, saith the Lord God.' " *.

The foregoing extracts will give the reader some idea of the style, tone, and import of the "Healing Question." It is indeed an admirable specimen of sincere admonition, fearless exhortation, and respectful reproof. It would be difficult to find a more signal manifestation of moral courage and public virtue than was exhibited in thus answering Cromwell's proclamation. Vane was a private citizen, and he stood before the mightiest monarch of his age, strong in nothing but his integrity and his truth. It is evident that he suspected Cromwell of designing to perpetuate his ill-gotten power in his own person and family; and it is probable that he had received some intimation of his being then about to assume the crown. He was determined to prevent, if possible, and at every hazard, the accomplishment of such a criminal purpose, and to expose himself to the Protector's wrath and vengeance, rather than keep silent, when his duty to him as well as to his country required him to speak out, and to his

* The "Healing Question" may be found in "The Somers Collection of Tracts," Vol. VI. p. 303. Second Edition, revised by Walter Scott, Esq. 1811.

very face, in the language of fearless warning, and plain rebuke. Many a battle-field may be searched in vain, for an instance of such real heroism as Sir Henry Vane exhibited in addressing an arbitrary usurper in the tone and spirit of the "Healing Question."

When we consider the character of this work, the all-important principles it discloses, the power, dignity, and richness of its style, the complete delineation it presents of the "good cause," for which the friends of liberty in those days contended, and the interesting and extraordinary circumstances that occasioned and followed its production; and then reflect, that it has either been unknown to such authors as Hume, or regarded by them as beneath their notice, we shall perceive how superficially and inadequately the history of England has, as yet, been written.

Although, as the next chapter will show, Sir Henry Vane failed, either to awaken the conscience of Cromwell, or to procure for his country at that time a free constitution, the principles he inculcated were not lost to the world. They were silently communicated from mind to mind, and transmitted from generation to generation, until, in these latter days, they have become the objects of desire and pursuit throughout Christendom. The seed was buried, for a season,

beneath the soil, but the noble tree has risen at length to a lofty height, and spread its mighty branches far and wide, as shade and as shelter, over the face of the earth. Every civilized nation is, at this moment, either enjoying, or struggling for, written constitutions, as the only bulwarks of liberty.

CHAPTER XIII.

Conduct of Cromwell in Reference to the "Healing Question." — Vane imprisoned in Carisbrook Castle. — Character of Cromwell. — Godwin's Contrast of Vane and Cromwell. — Vane released from Prison. — Letter to James Harrington on a "Balance in Popular Government." — Cromwell continues to persecute Vane.

Sir Henry Vane, being determined to conduct with perfect good faith towards Cromwell, transmitted to him a copy of the "Healing Question," in the first place, privately, through the hands of General Fleetwood, in hopes that the Protector might be induced to follow his advice, and adopt some such course, as he had proposed, in which event the public might never have known any thing of the transaction. But after the lapse of a month the manuscript was returned without comment, and Sir Henry immediately issued it from the press, with a Postscript, in which allusion was made to the fact that it had previously been communicated to Cromwell.

It is not known whether the manuscript was read by the Protector. Perhaps, in the multiplici-

ty of his cares, he had not leisure to examine it. Perhaps Fleetwood purposely neglected to put it into his hands, from the fear that it would provoke him. And perhaps Cromwell permitted it to be published with a design of bringing it up against its author. However it may have been, he manifested the greatest degree of exasperation when it appeared in print. A peremptory summons was instantly sent to its author; and he was brought before the Council, under circumstances, in the relation of which I shall make free use of the language of Godwin, whose "History of the Commonwealth of England" is the only work of the kind, that does any thing like justice to the men and events of that period.

"The case of Vane is entitled to particular notice. His high spirit recoiled from the arbitrary proceeding of being summoned, absolutely, and without cause shown, to appear before the Council. He had, a short time before, been second to no man in the island, and in reality the principal director of the councils of the Commonwealth. No man was ever more deeply imbued with a republican spirit; and his high rank and ample fortune had not exactly prepared him to be commanded by any one. He had now spent some years in retirement, and kept aloof from all cabals and private consults and disquisitions in political matters. His principal family seat was

Raby Castle in the bishopric of Durham, but his more favorite residence appears to have been at Belleau, in the county of Lincoln, where this summons, dated on the 29th of July, reached him on the 4th of August. It was couched in the most unceremonious form, without the word 'Sir,' or any term of address in the beginning; and the mandatory clause was expressed simply in the phrase, 'You are to attend.'

"The summons bore that Vane was to appear before the Council, on Thursday, the 12th of August; but, in a note to the President, he stated that it would be impossible for him to be in town till some days later. On the 14th he sent a message, signifying that he had that evening arrived at his house at Charing Cross, and was ready to appear, when sent for. His attendance was not required till the 21st."

When brought before the Council, the charge laid against him was, that he had written and published the "Healing Question." He promptly acknowledged the authorship and the publication. The following order was then passed. "Sir Henry Vane having this day appeared before the Council, and they having taken consideration of a seditious book, by him written and published, entitled 'A Healing Question, &c.,' tending to the disturbance of the present government and the peace of the Commonwealth, ordered that, if he shall

not give good security, in bond for five thousand pounds, by Thursday next, to do nothing to the prejudice of the present government and the peace of the Commonwealth, he shall stand committed."

Upon receiving this order, he wrote to the Council, that he could, on no account, comply with it, and, by so doing, acknowledge its justice and legality, subject his own character to suspicion, and shrink from the constant maintenance of the sacred cause in which he was engaged. In the course of his answer, he said, "I am well content to take this as a mark of honor from those who send it, and as the recompense of my former services;" and, not in the least intimidated by Cromwell's power or wrath, he continued, "I cannot but observe, in this proceeding with me, how exactly they tread in the steps of the late King, whose design being to set the government free from all restraint of laws, as to our persons and estates, and to render the monarchy absolute, thought he could employ no better means to effect it, than by casting into obloquy and disgrace all those who desired to preserve the laws and liberties of the nation." His letter thus concludes; "It is with no small grief to be lamented, that the evil and wretched principles, by which the late King aimed to work out his design, should now revive and spring up under the hands of men professing godliness."

At the appointed time, Sir Henry again appeared before the Council, and put into Cromwell's hands another paper, containing a plain and full statement of the reasons of his disapprobation of his course, a justification of his own political career, and an earnest and friendly exhortation and admonition to return to his duty, and recover his glory. This communication did not tend, as may well be imagined, to allay the usurper's resentment, which showed itself with increased indignation and violence. In resistance of the threat of imprisonment, Sir Henry declared himself a member of the Long Parliament, which had never been legally dissolved, and claimed the privilege of security from personal arrest. He refused to give any other security on the ground, that, in so doing he might be considered as waiving his rights as a member of Parliament, and as sanctioning the traitorous procedure of Cromwell in dispersing it by military force. But the tyrant cared no more for the privileges of Parliament than he did for the laws of the land; and the inflexible patriot was conveyed on the 9th of September to imprisonment in Carisbrook Castle, on the Isle of Wight.

Oliver Cromwell was once a hero and a patriot. But ambition and success had bewildered and depraved him. "He was drunk with the philtre of his power." And his proceedings against Vane

have left upon his character the stamp of a timid and brutal despotism. Although he was the first monarch in Christendom, and the whole power of a country, which his genius had contributed to make the most powerful in the world, was deposited in his single hand, he exhibited a cowardly fear of the talents, and dreaded the influence, of a retired and solitary country gentleman. He could not feel safe until Vane was either destroyed or silenced. And when he found that neither threats nor violence could reduce his spirit, he resorted to the ruthless exercise of mere arbitrary force. And why should Cromwell have feared Vane? No other reason can be assigned, than that he felt reproved by his example, and condemned by contrast. When the image of the patriot rose before him, his eyes turned inward and beheld there, in his own heart, the lineaments of a traitor and usurper. It was indeed conscience that made a coward of him. Godwin, who was by no means insensible to those points in the Protector's character, and those actions in his life, which were worthy of admiration, thus speaks of his imprisonment of Vane.

"Henry Cromwell describes Vane as one of the most rotten members of the community. Such was not apparently the opinion of the Protector. He pays a high compliment to his vic-

tim, at the same time that he casts a burning disgrace on his own government, when he fairly states the tract in question, as the sole ground for taking the author into custody and sending him into confinement in the southernmost point of England. It was clearly confessing, that they had no charge against him, that his conduct was altogether irreproachable, and that he was placed under restraint for an unlimited time, for having given his advice to his countrymen and their governors, at a most critical period, in a style of exemplary temperance and sobriety. What must be the government of a country, when the first men in it are liable to such treatment!"

The same interesting writer draws a contrast between the principles of Vane and Cromwell, which is entirely correct, and fully sustained by the occurrences just related.

"Vane's purpose was a republic. He designed that every Englishman should be a king, or, in other words, that none of his countrymen should have a master. Cromwell, on the contrary, intended that there should be but one king in England. There is something in the nature of man, by means of which, so long as he is not penetrated with the sentiment of independence, so long as he looks up with a self-denying and a humble spirit to any other creature of the same figure and dimensions as himself, he is incapable

of being all that man in the abstract is qualified to be. It was this lofty, and soaring, and independent spirit, that made Rome, so long as the state of Rome was uncorrupted and unpoisoned by the influx of wealth, radically different from all the nations and people of modern times. Cromwell's plan did not include the personal elevation of every individual of the soil of England. His project, therefore, crumbled away, and speedily became as if it had never been. If Vane had succeeded in moulding the character of the nation agreeably to his conceptions, the issue would have been very different."

As the Protector did not dare to assail the life of a man so dear to the people, neither did he think it expedient long to expose himself to the odium of keeping him in prison, without and against law, and obviously from motives of personal malice alone. Sir Henry Vane was accordingly liberated from confinement near the close of the year 1656.

About this time Harrington published his celebrated "Oceana." This induced Sir Henry Vane, probably while in prison at Carisbrook Castle, to address a letter to Harrington, which was published, entitled, "A needful Corrective or Balance in popular Government." He also published a theological work entitled, "Of the Love of God, and Union with God."

During, or immediately after, his imprisonment, a work, supposed to have been written by Vane himself, appeared, entitled, "The Proceedings of the Protector." In the Epistle to the Reader, its purport is thus described; "Thou hast here a true narrative of the whole proceedings against Sir Henry Vane, Kt., and his imprisonment in the Isle of Wight, occasion being taken (as thou wilt find) from his writing and publishing a Discourse, entitled, '*A Healing Question*,' &c., tending to the composure and uniting all honest men's hearts," &c.

So great, however, was the apprehension and jealousy of Cromwell, that he could not consent to allow Sir Henry to live in peace, even when withdrawn into absolute retirement, and occupied in the quiet and harmless pursuits of literature and religion. He seems indeed to have had a morbid terror of his talents and character; and the exclamation with which he broke up the Long Parliament, "Sir Harry Vane! Sir Harry Vane! Good Lord deliver me from Sir Harry Vane!" was expressive of a feeling which haunted him every hour, and, mingling with other causes of anxiety and alarm, destroyed the comfort of the last years of his life, and filled them with solicitude and fear.

As he did not venture to deprive Sir Henry Vane of his life or liberty, he was resolved to

strip him of his property, harass him by constant vexation, and thus compel him at last to submit to his government. With this view, measures were adopted to involve his estates in the meshes of the law. The Attorney-General was employed to discover or invent flaws in the titles by which they were held. Bills were filed in the Exchequer, and legal proceedings of various kinds were instituted. At the same time, he was given to understand, that if he would support the government all these measures should be stopped. In this way the whole power of Cromwell was brought to bear upon him; every art was used, and it was systematically and deliberately attempted, by a kind of slow torture, to wring from him his great fortune, and, by reducing him to poverty, to humble and break his spirit. But it was all in vain. He continued steady, immovable, and inflexible; and during the whole of Oliver Cromwell's usurpation, held fast his integrity and would not let it go.

The friends of liberty, in the present age, look with sorrow and indignation upon the military despotism, which trampled upon the Parliament, and reared an irresponsible tyranny on the ruins of the republican Commonwealth; and condemn the conduct of the men, who coöperated with Oliver Cromwell, in defiance of the noble exhortations and solemn deprecations of Milton,

in betraying the bright and glorious cause of freedom. But none of their just and righteous reproach can fall upon the name of Vane. His patriotism continued to shine with undiminished lustre; he was "faithful found among the faithless." When all others proved false, he stood by his principles, and redeemed his pledges. When hope had been driven from the heart of every other republican, he did not despair or despond for a moment; when the name of liberty had become a proverb, a by-word, a reproach throughout the world, and its cause seemed utterly and for ever lost, his allegiance never faltered, and his spirit was filled with a serene and undoubting confidence in its final and universal triumph, which neither prisons, nor chains, nor the scaffold could shake or impair.

CHAPTER XIV.

Richard Cromwell, Protector. — New Parliament summoned. — Vane elected from Kingston upon Hull, Bristol, and Whitchurch. — Republican Party re-organized. — Vane's Speech. — Richard abdicates. — Government passes into the Hands of Republicans. — Intrigues of the Army. — Treachery of Monk. — Charles the Second restored. — Vane imprisoned. — Sent to Scilly.

The death of the Protector brought on a new crisis in the affairs of the nation; one in which there were no precedents to follow, or principles to guide. Society seemed for a moment to be dissolved; and a pause occurred in the progress of things. It depended upon the events of a few days, what should be the fate of parties, and the future character of the government. One of three courses was to be taken, and no one could positively tell which it would be. The first question in every mind was naturally this, — Will the royal family be restored? Will Charles be permitted to ascend the throne of his ancestors?

Upon a slight observation of the condition of the country and the state of the public mind, it soon became quite evident that such questions must be answered in the negative. The conduct of public affairs by the Parliament and the Protector had been so successful and glorious, there was such a wonderful contrast between their administration, particularly in reference to the foreign relations of the country, and what had ever before been witnessed, that, in the course of years, the exiled family had been almost forgotten by the people, or remembered only to their disadvantage, and scarcely a wish was expressed, at the time, that they might be restored; and, besides, the actual government was left by the Protector in the hands of his friends, who were the enemies of the royal family, so that there seemed to be no opportunity or possibility of their restoration.

Such being the case, the alternative that remained was, that either the country should pass into the form of a representative republic, or the government continue to be administered under the Protectorate of Richard Cromwell, whom Oliver, his father, had nominated to succeed him. It was so obvious that it would be necessary to adopt one of these courses, that the country readily divided itself into two parties, who respectively pursued them.

It is needless to mention which policy Sir Henry Vane espoused. He had always labored for a republic, and when so favorable an opening seemed to have been ordered by Providence, as the state of affairs then presented, he felt called to exert himself to the utmost to improve the opportunity, and establish the reign of liberty and law in his country.

The persons connected with the administration, as it existed at the death of Oliver, were of course interested to keep things as they were; and, as it was necessary for some one to assume the reins of government until the public will could be ascertained and brought into exercise, Richard Cromwell, who appears to have been a well-meaning although a feeble man, entered upon the discharge of the Protectorship. The death of his father occurred on the 3d of September, 1658. A new Parliament was summoned to meet on the 27th of January, 1659. Upon this Parliament, it was understood, it would rest to effect a settlement of the form of government, and so far to determine the fortunes of the nation. It was the natural consequence of this impression, that the elections of its members became the occasion of the highest possible interest throughout the country. By the result of those elections, the struggle between the two great parties would be brought to a decision and a close.

Those, whose desire it was to have the government continue under the Protectorate of Richard Cromwell, considered it an object of the greatest possible importance to prevent the election of Sir Henry Vane to the ensuing Parliament; and they resorted to the most extraordinary and extreme measures to keep him out. He offered himself at Kingston upon Hull, of which place he claimed, as of right, to be considered the lawful representative, having sat as such in the Long Parliament. His right was confirmed by the electors. He was re-chosen by a full majority of their votes; but the managers of the election, being creatures of Richard's party, in defiance of justice and public sentiment, gave the certificate of election to another. Sir Henry was determined not to be defeated by such means; he, therefore, proceeded to Bristol, entered the canvass, and received a majority of the votes. Here, also, the same bold and high-handed outrage was committed by the officers; and others whose names stood below his on the poll-books were declared to be elected. He still persevered and was finally returned from Whitchurch in Hampshire.

On the opening of the Parliament it was proposed that their first proceeding should be to confirm the government of Richard, and to sanction the House of Peers which his father had

created. The republican party opposed these propositions from the first, and, although they were in a minority, finally succeeded. Their measures were taken with the skill and spirit for which their leaders were so preëminently distinguished. The consultations of the party were generally held at Sir Henry Vane's house near Charing Cross, and he managed the debates, on their behalf, in the House of Commons. In opposing the further continuance of Cromwell's House of Peers, he reminded the Commons of their former protestations against the bishops holding seats in the upper House, during the royal government, the ground then taken having been that bishops, receiving their appointments from the Crown, would naturally be nothing better than the instruments of the King; and he proved that the argument was good also against the whole House of Lords as such, they all having been raised to the peerage by the late Protector, and being inclined therefore to sustain the government of his son, with implicit and servile obedience.

While the republicans were advancing these doctrines in the lower House, the members of the other House, and the principal military leaders, were endeavoring to resist their measures, and defeat their designs. And, in order to prevent the results, which might be apprehended in case the discussion continued much longer, a petition

was drawn up by the leading officers of the army, and forwarded, through the hands of Fleetwood, his brother-in-law, and Desborough, his uncle, to Richard, requesting him to dissolve the Parliament, and intimating very plainly, that, if he did not do so without delay, the army would proceed to deprive him of his power, and assume to themselves the whole government of the country. Richard accordingly despatched the Keeper of the Seal, as he was bidden, to dissolve the Parliament; but, having gotten information of the design, the House determined not to be dissolved, ordered their doors to be closed, and the gentleman usher of the black rod was not permitted to enter. It was on this occasion, that Sir Henry Vane delivered a speech which produced an overwhelming effect upon the House and nation, and entirely demolished the power of the Protector. It has fortunately been preserved, and is now presented entire to the reader. When it is remembered, that this speech was addressed to a House in which Sir Henry was in a minority, that it was spoken almost within the hearing of Richard Cromwell himself, when he was in possession of the whole power of the country, and at a moment when he was backed by the army, and acting in compliance with the will of its generals, we can in some degree appreciate the courage of the speaker, and the effect upon the House of his fearless eloquence.

"Mr. Speaker,

"Among all the people of the universe, I know none who have shown so much zeal for the liberty of their country, as the English, at this time, have done. They have, by the help of Divine Providence, overcome all obstacles, and have made themselves free. We have driven away the hereditary tyranny of the house of Stuart, at the expense of much blood and treasure, in hopes of enjoying hereditary liberty, after having shaken off the yoke of kingship; and there is not a man amongst us, who could have imagined that any person would be so bold as to dare attempt the ravishing from us that freedom, which has cost us so much blood and so much labor. But so it happens, I know not by what misfortune, we are fallen into the error of those, who poisoned the Emperor Titus to make room for Domitian, who made away Augustus that they might have Tiberius, and changed Claudius for Nero.

"I am sensible these examples are foreign from my subject, since the Romans, in those days, were buried in lewdness and luxury; whereas the people of England are now renowned, all over the world, for their great virtue and discipline; and yet suffer an idiot, without courage, without sense, nay, without ambition, to have dominion in a country of liberty.

"One could bear a little with *Oliver* Cromwell, though, contrary to his oath of fidelity to the Parliament, contrary to his duty to the public, contrary to the respect he owed to that venerable body from whom he received his authority, he usurped the government. His merit was so extraordinary, that our judgment and passions might be blinded by it. He made his way to empire by the most illustrious actions. He held under his command an army that had made him a conqueror, and a people that had made him their general.

"But as for *Richard* Cromwell, his son, who is he? What are his titles? We have seen that he has a sword by his side, but did he ever draw it? And, what is of more importance in this case, is he fit to get obedience from a mighty nation, who could never make a footman obey him? Yet, we must recognise this man as our king, under the style of Protector! — a man without birth, without courage, without conduct. For my part, I declare, Sir, it shall never be said that I made such a man my master." *

* This Speech may be found in a Note to the Article "Vane," in the "Biographia Britannica." From this article many of the most important materials used in the construction of the above memoir, have been derived. In order to avoid the inconvenience of unnecessary marginal references, I have referred to it but once before.

This impetuous torrent swept every thing before it. Oratory, genius, and the spirit of liberty never achieved a more complete triumph. It was signal and decisive, instantaneous and irresistible. It broke, at once and for ever, the power of Richard and his party, and the control of the country again passed into the hands of the republicans. Richard immediately abdicated the Protectorate, having at the same time issued a Proclamation dissolving the Parliament; and the general voice of the country was so clearly and strongly uttered, that the military factions bowed to its demand, and the famous Long Parliament, which Oliver Cromwell had dispersed in 1653, was once more summoned to assemble, by a declaration from the council of officers dated on the 6th of May, 1659.

On the 9th of May, Sir Henry Vane was appointed one of the Committee of Safety, to whom the supreme and entire power of the country was intrusted, until Parliament could make further arrangements. The authority of this committee was to continue only for eight days. A permanent Council of State was agreed upon, and, on the 13th of May, he was nominated one of its members. He was chairman of a committee of this council, to whom the whole military and naval force of the country was committed, with power to make all appointments in each branch

of the service. Soon afterwards a special commission was formed to administer the affairs of the admiralty, and he was placed at its head. In September, 1659, he was made President of the Council, and continued to serve in every important trust, as the leading member of committees of safety, and other executive and legislative committees, until it seemed at last that the great and uniform object of his heart's desire was about to be secured, the end of his toils and sacrifices accomplished, and a republican government firmly established.

As chairman of a committee appointed for that purpose, he had reported a bill for the future and permanent settlement of the government; and the Parliament was engaged in its consideration and discussion, under apparently the most favorable auspices. Its leading provisions were the following.

I. "That the supreme power, delegated by the people to their trustees, ought to be in some fundamentals not dispensed with," that is, a CONSTITUTION ought to be drawn up and established, specifying the principles by which the successive "trustees," or representatives, assembled under it, should be guided and restrained in the conduct of the government, and clearly stating those particulars in which they would not be permitted to legislate or act.

II. One point, which was to be determined and fixed in this constitution, so that no legislative power should ever be able to alter or move it, was this. "That it is destructive to the people's liberties, (to which by God's blessing they are fully restored,) to admit any earthly king, or single person, to the legislative or executive power over this nation."

III. The only other principle which Sir Henry reported as a fundamental, to be placed at the very basis of the constitution, was this, "That the supreme power is not intrusted to the people's trustees, to erect matters of faith and worship, so as to exercise compulsion therein."

These were the great principles upon which Sir Henry Vane proposed to frame and settle a government for his country. They determine his merits as a statesman and political philosopher, and secure to his name a glory, which nothing can impair. It was not the will of Providence, that England should at that period be blessed with such a constitution. After more than a hundred years, the inestimable privilege was bestowed upon her distant American colonies, and her own people still continue to struggle to obtain it. Although long deferred, their hope does not seem to grow faint, nor their resolution to falter; and we may perhaps reasonably indulge the assurance that, before another century has passed away,

England will have peace and rest beneath the shelter of those republican institutions, which her patriots, in the days of the Commonwealth, toiled, and suffered, and bled to secure to her.

While the sincere and faithful friends of liberty were thus employed in the deliberations of Parliament, a very different train of affairs was in progress throughout the nation. The army, which from the beginning seemed to have been destined to blast the efforts of patriotism, and destroy the hopes of the country, was becoming the prey of the most profligate factions, — was poisoned with the jealousies, and agitated by the mad ambition, of its rival chieftains. The various religious sects, contending with their usual bitterness and blindness, for the power to persecute and oppress each other, were filling the country with dissensions and animosities. By such causes the moral and political health and strength of the nation were gradually undermined. The adherents of the royal interest eagerly availed themselves of these circumstances to increase their own influence, encourage their friends, and rally their numbers, until, at last, by the base and infamous treachery of one of the military leaders, the cause of liberty in England was sacrificed and lost. General George Monk was the instrument of its ruin. He sold his army, and with it the welfare of his country, and his own fame; and

the price at which he sold them was the title of His Grace, the Duke of Albemarle, and the perpetual execration of mankind. The monarchy was restored. Charles the Second was crowned, and England was given over to the scourge of an unbridled tyranny. A flood of licentiousness poured through the land, extinguishing every spark of manly virtue, and bearing before it, not only the principles, but even the very forms and outward professions of honor, virtue, and religion. By this disastrous turn of affairs the progress of humanity was checked and turned back for more than a century.

Sir Henry Vane was, of course, one of the first to fall a victim to the treachery of the army and Parliament. He was placed in confinement, in one of his own houses, at Belleau in Lincolnshire, and subsequently at Raby Castle. On the restoration of the King, he was committed to the Tower, and was afterwards removed from prison to prison, until at length he was immured in a castle on one of the Isles of Scilly. In the mean time his fate was hanging in suspense. His name, however, had been excepted from the act of pardon and oblivion; and it was but too evident, that it was resolved that his blood should be shed to atone for the efforts of his life in favor of republican principles, and that the government waited only that their power might be sufficiently

confirmed, and the spirit of the people broken down, to render it safe to attempt the life of one whose influence they so much dreaded.

His imprisonment in Scilly continued about two years. While waiting the slow approach of a monarch's vengeance, in the solitary and dismal recesses of the desolate castle in which he was immured, his noble spirit was neither subdued nor depressed. Although separated from his family and friends, and severed, as it were, from the earth itself, shut out from the light of heaven and the intercourse of man, hearing no sound but the dashing of the ocean's waves against the foundation-stones, and the howling of its storms among the turrets of his feudal prison, his soul was serene and unruffled, the abode of peace and light. Religion and Philosophy, to whose service he had devoted his great faculties and pure affections, in the days of his ardent youth and glorious manhood, when power and prosperity were his lot, and the world was bright before him, now came to solace, and cheer, and bless him, in the reverse of his earthly fortunes, and when the dark clouds were gathering around the close of his career. Although to human eye all his efforts had failed, and the cause of liberty was utterly lost and undone, when even hope itself had fled from every other breast, he did not despond. Not a shadow of doubt passed over his spirit.

His confidence was founded upon a rock, and his faith in the promises of God disclosed to his clear and heaven-illumined vision the sure prospect of the happy period, when there would be no more tyranny or oppression on the earth. He felt that the hour of his final trial was rapidly approaching; and, although there was a constitutional delicacy and tenderness in his nature, which had even made him so sensitive to physical suffering, as to lead his enemies to charge him with a want of personal courage, he contemplated death with a singular calmness and complacency of spirit. And well he might; for, when he looked back over his life, his mind rested with a just satisfaction upon the faithful and constant devotion of his talents to the cause of God and his people; and, when he turned towards the future, he contemplated, with a glorious hope and blessed assurance, the rewards in reserve for sincerity, benevolence, and piety in that world, where the wicked cease from troubling and the weary are at rest.

CHAPTER XV.

His Occupation while a Prisoner. — "An Epistle General, &c." — "The Face of the Times." — "Meditations on Death." — "Letter to his Wife." — Vane removed to the Tower.

During his imprisonment on the rocks of Scilly, he solaced and dignified his solitude, and occupied the weary and slow-pacing hours, by composing several elaborate works in his favorite branches of theology. One of them was entitled "An Epistle General to the mystical Body of Christ on Earth, the Church universal in Babylon, who are Pilgrims and Strangers on the Earth, desiring and seeking after the Heavenly Country." This work was addressed "to the scattered seed and sheep of Christ in all nations, the true Israel by faith, unknown for the most part to themselves, but more to the world and worldly Christian; yet, in this their unknown or dispersed estate, owned of the Lord, as the church that are in God the Father, truly pure, catholic, and Christian, of which Jesus Christ is the alone and immediate head." It commences in the following manner.

"Brethren and fathers, that in Jesus Christ are dearly beloved, and with God of great price, grace and peace be multiplied unto you, through the knowledge of our Lord Jesus Christ.

"To you that are unknown and yet well known, it is in my heart to be representing the knowledge of Him that is invisible, and the view of yourselves in your invisible state, together with those that are your known or unknown enemies; as that which may prove neither unreasonable nor unprofitable to you, in this day of Israel's captivity, but approaching redemption (which hastens fast), at which time the sons of God shall be made manifest.

"If Paul, Acts xvii., when he passed by, and beheld the Athenian devotions, with an altar, having the inscription *To the unknown God*, took occasion from thence to make him known, whom they ignorantly worshipped; surely it ought not to be accounted blameworthy in any, that seeth the worship and devotions now in practice in the visible Christian Church, to endeavor the distinguishing the right Catholic Church in its purity, and way of worship in spirit and truth, from them and from their ways of worship (ignorantly, however zealously, performed), that pass under the name of Christ's mystical body, and his divine institutions."

The character of the "Epistle General," is sufficiently indicated by its title and the passages now quoted. The topics, and the method of handling them, are such as would be likely to lead persons who have no taste for such discussions, or familiarity with them, to call the work obscure and unintelligible.

Sir Henry also composed at this time, although neither of them seem to have been published until after his death, another work with the following title.

"The Face of the Times; wherein is briefly discovered by several prophetical Scriptures from the beginning of Genesis to the end of Revelation, the rise, progress, and issue of the enmity and contest between the seed of the woman and the seed of the serpent, to the final breaking of the serpent's head, in the total and irrecoverable ruin of the monarchies of this world, which have been spirited, influenced, and headed all along by him, for the bruising of the saints' heel, (or killing of their bodies,) for the testimony of Jesus, which by them hath been given forth in the true spirit of prophecy.

"The design of this writing is, to alarm the world, and awaken up the present generation of God's people in it, to a more diligent and curious observation of the present signs of the near approaching day of the Lord, that they may be

more carefully minding and doing what most concerns them, by way of preparation thereunto."

In this work Sir Henry gives a history, in the language peculiar to the times, of the contest between the principle of evil, and the principle of virtue and truth, in which contest he represents the principle of evil as maintaining for a long time a decided advantage, although at last it is to be overcome and destroyed. "Matters are so contrived," says he, "in the most wise design of God, that the seed of the woman must suffer first and be on the losing hand (as to any outward quietness and fair dealing that they are to expect in this world) for a long tract of time, wherein the headship of this world, the empire and government of the whole earth, shall be, as it were, in the hands of the Evil One, who shall be very much permitted to dispose of the powers of it to his own instruments and creatures. But, at the sounding of the seventh trumpet, this time is to end and be no longer. Then the seed of the woman must break this headship, which Satan, for so long a time, hath exercised over the whole world, and destroy all those worldly kingdoms that have been managed under his influence, to their prejudice."

In the course of the discussion he expresses the idea, that the "seed of the serpent" has become possessed of the visible power of Chris-

tendom itself, ever since the religion of Christ "hath been made national, and, in the rules, ordinances, and doctrines thereof, been embodied in the laws of each nation in the empire, and so enforced by the civil sword."

The contest in Christendom, therefore, in accordance with this view, is considered as taking place between the worldly powers, under the name and guise of Christian, and the true followers of Christ regarded as individuals, or as a company of individuals having only a spiritual relation towards each other.

"This then is the third signal season or great revolution of things in this world, wherein the same war, that was from the beginning, hath been, and still is, carrying on between the two seeds, under the name of Christian, or Christ's followers. The seed of the serpent, under pretence of being for Christ, do prove at last universally against him, most shamefully and wickedly rejecting him, and falling in with the kingdom of Antichrist, in direct opposition to his kingdom. This they will do, notwithstanding that he hath been graciously striving and contending by the ministry of the Gospel, to work the whole world into a state of obedience and subjection to the righteousness of his sceptre. For this end hath he been, many hundred years, giving forth the light and glory of his gospel and kingdom, from the eastern parts of

the world to the west, and suffered himself all along to be cast off, and his members to be oppressed and trodden under foot, by degrees, in one nation and country after another, till at last it came to these western parts, and was spread from hence in *America*, which, with these nations we live in, seems to be the last piece of ground this quarrel is to be fought out in."

He thus describes the living, spiritual, inward principle of the true Christian.

"The kingdom of God is within you; and is the dominion of God in the conscience and spirit of the mind. This kingdom stands not, nor comes in or with any outward observation, but is the commanding, ruling principle of life in the true saint, as a law written in his inward parts. Christ's kingdom, as thus considered, is intended Rev. xi. 1., where it is called the *temple of God*, or the *inward court*, and those that worship there, glorifying God in their spirits. This kingdom of Christ is capable of subsisting and being managed inwardly, in the minds of his people, in a hidden state, concealed from the eye of the world. By the power thereof, the inward senses or eyes of the mind are opened and awakened, to the drawing them upward to a heavenly converse, catching and carrying up the soul to the throne of God, and to the knowledge of the life which is hid, with Christ, in God. Those that are

in this kingdom, and in whom the power of it is, are fitted to fly with the Church into the wilderness, and to continue in such a solitary, dispersed, desolate condition, till God calls them out of it. They have wells and springs opened to them in this wilderness, whence they draw the waters of salvation, without being in bondage to the life of sense."

Sir Henry also composed several shorter works during his confinement in Scilly, from which the following extracts are taken. The reader, I trust, will regard them with interest, as illustrative of the noble character and enlightened principles of their author, and also as invaluable expressions of the most sublime sentiments of patriotism, virtue, and piety. The first I shall notice, is a political tract entitled "The People's Case stated." After a clear, learned, and ample discussion of the first principles of government, with a particular reference to the history of the English Constitution, he reaches the following conclusions, which may be considered as a declaration of his creed as a statesman.

"Common consent, lawfully and rightfully given by the body of a nation, and intrusted with delegates of their own free choice, to be exercised by them, as their representatives, (as well for the welfare and good of the body that trusts them, as to the honor and well-pleasing of God, the

Supreme Legislator,) is the principle and means, warranted by the law of nature and nations, to give constitution and admission to the exercise of government and supreme authority over them and amongst them. Agreeable hereunto, we are to suppose, that our ancestors, in this kingdom, did proceed, when they constituted the government thereof in that form of administration, which hath been derived to us in the course and channel of our customs and laws."

"For a rational man to give up his reason and will unto the judgment and will of another, (without which no outward coercive power can be,) whose judgment and will is not perfectly and unchangeably good and right, is unwise, and unsafe, and, by the law of nature, forbidden. And therefore all such gifts, made by rational men, must be conditional, either implied or explicit, to be followers of their rulers, so far as they are followers of that good and right, which is contained in the law of the Supreme Lawgiver, and no further; reserving to themselves (in case of such defection and declining of the ruler's actings from the rule) their primitive and original freedom, to resort unto, that so they may, in such case, be as they were before they gave away their subjection unto the will of another; and reserving also the power to have this judged by a meet and competent judge, which is the reason of the King and

kingdom, declared by their representatives in Parliament; that is to say, the delegates of the people in the House of Commons assembled, and the commissioners on the King's behalf, by his own letters patent, in the House of Peers, which two concurring do very far bind the King, if not wholly. And when these cannot agree, but break one from another, the Commons in Parliament assembled, are *ex officio* the keepers of the liberties of the nation, and righteous possessors and defenders of it, against all usurpers and usurpations whatsoever." * "Ancient foundations, when

* In his pleadings, on the day of his trial, Sir Henry enlarged, more particularly, upon the principle expressed in the above paragraph. He argued, on that occasion, from Fortescue and others, that the government of England, consisting, as it does, of three branches, rested, as upon its true basis, on the third estate, or House of Commons; and that, therefore, the government was not completely overthrown during the times of the Commonwealth, but still remained fixed upon its legitimate foundation in the House of Commons. "When," said he, "by the inordinate fire of the times, two of the three estates were for a season melted down, they did but retire into their root, and were not thereby destroyed, but rather preserved." Again, in vindicating the leading part he took in Parliament, after the death of the King and the dissolution of the House of Lords, he said that he thought it his duty "to preserve the government, at least, in its root, whatever changes and alterations it might be exposed unto in its branches, through the blusterous and stormy times that have passed over us."

once they become destructive to those very ends for which they were first ordained, and prove hindrances to the good and enjoyment of human societies, to the true worship of God, and the safety of the people, are for their sakes, and upon the same reasons to be altered, for which they were first laid."

At the time when these pieces were written, the cause of liberty, to all appearance, was utterly overthrown, and for ever lost. The only patriots who remained were either driven into exile, or immured in dungeons, or perishing on the scaffold. And Sir Henry well knew that his own blood would soon be demanded by his enemies. He contemplated the event with entire composure. The following passages show how fully he had succeeded in disciplining his faith, and in acquiring those consolations and supports which religion alone can secure to the mind. I know not, in the range of history, a brighter or more triumphant illustration of the higher wisdom, the nobler philosophy, of the Gospel, than he exhibited when in prison, at the bar of condemnation, and in the hour of death.

"To murmur," says he, "against God's verdict, and resist his doom, so solemnly given and executed amongst us, in the sight and concurring acknowledgment of the nations round about, is to become adversaries to God, and to betray our country. If God, then, do think fit to permit such

a dispensation to pass upon us, it is for the punishment of our sins, and for a plague to those that are the actors therein; to bring more swift exemplary vengeance upon them. Such as have discharged a good conscience, in what may most offend the higher powers, are not to fear, though they be admitted to the exercise of their rule with an unrestrained power and revengeful mind.

"Though, from that mountain, the storm that comes, will be very terrible, yet some are safest in storms, as experience shows. Yea, best therein, by God's mercies, when their greatest enemies think most irrecoverably to undo them."

"How hath it fared with the cause of Christ generally, for more now than sixteen hundred years, being made the common object of scorn and persecution, not from the base and foolish only, but from the noblest and wisest persons in the world's esteem! Yet, though our sufferings and the time of our warfare seems long, it is very short, considering the perpetuity of the kingdom which at last we shall obtain, and wherein we shall individually reign with the chief sovereign thereof. For, whereas all the kingdoms of the world have not yet lasted six thousand years, this is everlasting and without end. They that overcome by not loving their lives unto the death (Rev. xii. 11.) shall be pillars in the house of this everlasting kingdom, never to be removed."

"Evils themselves, through the wise overruling providence of God, have good fruits and effects. The world would be extinguished and perish, if it were not changed, shaken, and discomposed by a variety and interchangeable course of things, wisely ordered by God, the best Physician. This ought to satisfy every honest and reasonable mind, and make it joyfully submit to the worst of changes, how strange and wonderful soever they may seem, since they are the works of God and nature, and that, which is a loss in one respect, is a gain in another."

The following passages, taken from Sir Henry's "Meditations on Death," would have established the fame of a heathen sage, and are full of the highest Christian philosophy.

"True natural wisdom pursueth the learning and practice of dying well, as the very end of life; and indeed he hath not spent his life ill, that hath learned to die well. It is the chiefest thing and duty of life.

"The knowledge of dying is the knowledge of liberty, the state of true freedom, the way to fear nothing, to live well, contentedly, and peaceably. Without this, there is no more pleasure in life, than in the fruition of that thing which a man feareth always to lose. In order to which, we must, above all, endeavor that our sins may die,

and that we may see them dead, before ourselves; which alone can give us boldness in the day of judgment, and make us always ready and prepared for death.

"Death is not to be feared and fled from, as it is by most, but sweetly and patiently to be waited for, as a thing natural, reasonable, and inevitable. It is to be looked upon as a thing indifferent, carrying no harm in it. This, that is all the hurt enemies can do to us, is that which we should desire and seek after, as the only haven of rest from all the torments of this life; and which, as it gives us a fuller fruition of Christ, is a very great gain, that the sooner we are possessors of the better.

"The spirit of a good man, when he ceases to live in the body, goes into a better state of life, than that which he exercises in this world; and when once in that, were it possible to resume this, he would refuse it. Yea, were a man capable to know what this life here is, before he receives it, he would scarce ever have accepted it at first. The selfsame journey men have taken, from no being to being, or from preëxistent being into mortal life, without fear or passion, they may take again from that life, by death, into a life that hath immortality in it.

"Death is the inevitable law God and nature have put upon us. Things certain should not be

feared but expected. Things doubtful only are to be feared. Death, instead of taking away any thing from us, gives us all, even the perfection of our natures; sets us at liberty, both from our own bodily desires, and others' domination; makes the servant free from his master. It doth not bring us into darkness, but takes darkness out of us, us out of darkness, and puts us into marvellous light. Nothing perishes or is dissolved by death, but the veil and covering, which is wont to be done away from all ripe fruit. It brings us out of a dark dungeon, through the crannies whereof our sight of light is but weak and small, and brings us into an open liberty, an estate of light and life, unveiled and perpetual.

"To be unwilling to die is to be unwilling to be a man, since to be a man is to be mortal. It is most just, reasonable, and desirable to arrive at that place towards which we are always walking. Why fearest thou to go whither all the world goes? He that fears not to die, fears nothing. From hence have proceeded the commendable resolutions and free speeches of virtue, uttered by men of whom the world hath not been worthy. A gallant Roman, commanded by Vespasian not to come to the senate, answered, *He was a senator, therefore fit to be at the senate; and, being there, if required to give his advice, he would do it as his conscience commanded him.* Hereupon,

being threatened by the Emperor, he replied, *Did I ever tell you, that I was immortal? Do you what you will; I will do what I ought. It is in your power to put me unjustly to death; and in mine to die constantly.*

"The more voluntary our death is, the more honorable. Life may be taken away from every man by every man, but not death. But it is greater constancy, well to use the chain wherewith we are bound, than to break it. A man is not to abandon his charge in life, without the express command of him that gave it him. Nerva, a great lawyer, Cato of Utica, and others, died, as not able to bear the sight of the weal-public in that bad and declining state, into which by God's providence it was brought, in their times; but they should have considered,

> 'Multa dies variusque labor mutabilis ævi
> Retulit in melius.'

"A man ought to carry himself blamelessly, and with a steady courage in his place and calling, against his assailants, and consider that it is better to continue firm and constant to the end, than fearfully to fly or die."

"But let us more particularly, and upon truly and purely Christian principles, weigh and consider death.

"They, that live by faith, die daily. The life which faith teaches, works death. It leads up the

mind to things not seen, which are eternal, and takes it off, with its affections and desires, from things seen, which are temporal. It acquaints the soul experimentally with that heavenly way of converse and intercourse, which is not expressed by sensible signs, but by the demonstration proper to spirits, whether angels, souls separate, or souls yet in the body, as they live by faith, not by sense. Such a way of living and shining forth in man's naked, essential beams, he then arrives unto, when the thick veil and wall of his flesh is dissolved, and his earthly tabernacle put off.

"The knowledge, sight, and experience of such a kind of subsisting and heavenly manner of life, that man is capable of, is the best preparative, and most powerful motive, to leave the body, and surcease the use of our earthly organs. This, in effect, is all, that bodily death, rightly known and understood, doth impart; a lawful surceasing the use and exercise of our earthly organs, and our willing and cheerful resorting to the use and exercise of that life without the body, which man is capable to subsist in, when made perfect in spirit, an equal and associate with angels, under the power and order of expressing what he inwardly conceives, as they do. This made Paul look upon life in the body, and life out of it, with no indifferent eye, but as accounting the being at home in the body an absence from the Lord;

and such a kind of absence from the body, as death causes, to be that which makes us most present with the Lord; which therefore we should be most willing unto, and, with greatest longing after, desire."

But the most interesting production of his pen during this imprisonment, which remains to us, is a letter to his wife, the character of which will be shown by the following extracts.

"My dear Heart,

"The wind yet continuing contrary, makes me desirous to be as much in converse with thee, (having this opportunity,) as the providence of God will permit; hoping these will come safe to your hand. It is no small satisfaction to me, in these sharp trials, to experience the truth of those Christian principles, which God, of his grace, hath afforded you and me, in our measures, the knowledge, and emboldened us to make the profession of."

"This dark night and black shade, which God hath drawn over his work in the midst of us, may be (for aught we know) the ground-color to some beautiful piece, that he is exposing to the light."

After dwelling, at some length, upon the trials to which he and his family had been called, he alludes to the influence which afflictions are intend-

ed by Providence to exert upon the character in promoting its Christian improvement, and expresses himself in the following manner.

"This God hath set before the eye of my faith, as the mark for the prize of the high calling of God in Christ Jesus. This is that perfection, which by conformity with Christ in his death, and fellowship with him in his resurrection, is in a most eminent degree attainable before our dissolution and the putting off our earthly tabernacle. It shall be so far attained by the power and glory of Christ, that is to be revealed in us, that it shall not much fall short of a very transfiguration. And the state of the then glorious Church will be no less than a heaven upon earth, in the new heavens and new earth wherein dwelleth righteousness.

"Nor would I have it thought, that I have already attained the powerful practice of this holy duty and perfection, but it is much in my desire, aim, and hope. The difficult circumstances I am in, and that I am still more and more every day cast into, by God's wise-disposing providence, to the sequestering me from the world, and withholding all sensible comforts from me, so much as he doth, make me, in some sort, confident it is for a good end, and that out of love and faithfulness I am made to drink of this bitter cup, the better to help forward this necessary work in me, and upon me, wherein consists the glorious liberty of the

sons of God. If I may have and enjoy this, it would seem a very little matter to me to be in outward bonds, banishment, want, or any other afflictions. Help me, then, (in all your cares and solicitudes about me,) to what will further and advance this work in me.

"The Lord grant me and mine to be content, if he deny us to live of our own, and will bring us to the daily bread of his finding, which he will have us wait for, fresh and fresh from his own table, without knowing any thing of it beforehand. Peradventure there is a greater sweetness and blessing in such a condition, that we can imagine, till we have tried it. This may add to my help, even our making little haste to get out of our troubles, patiently waiting till God's time come wherein he will open the prison doors, either by death, or some other way, as he please, for the magnifying his own great name, not suffering us to be our own choosers in any thing, as hitherto hath been his way with us.

"And why should such a taking up sanctuary in God, and desiring to continue a pilgrim and solitary in this world, whilst I am in it, afford still matter of jealousy, distrust, and rage, as I see it doth, to those who are unwilling that I should be buried and lie quiet in my grave, where I now am. They that press so earnestly to carry on my trial, do little know what presence of God

may be afforded me in it and issue out of it, to the magnifying of Christ in my body, by life or by death. Nor can they (I am sure) imagine how much I desire to be dissolved and to be with Christ, which of all things that can befall me I account best of all. And till then, I desire to be made faithful in my place and station, to make confession of him before men and not deny his name, if called forth to give a public testimony and witness concerning him, and to be, herein, nothing terrified. What then will the hurt be, that I can or shall receive by the worst that man can do unto me, who can but kill the body, and thereby open my prison door, that I may ascend into the pleasures that are at Christ's right hand.

"If the storm against us grow still higher and higher, so as to strip us of all we have, the earth is still the Lord's and the fulness thereof; he hath a good storehouse for us to live upon.

"God can, and (if he think fit) will, chalk out some way, wherein he may appear by his providence to choose for us, and not leave us to our own choice. And being contracted into that small compass, which he shall think fit to reduce us unto, we may, perhaps, meet with as true inward contentment, and see as great a mercy in such a sequestration from the world, as if we were in the greatest outward prosperity.

"I know nothing that remains to us, but like a

tossed ship in a storm, to let ourselves be tossed and driven with the winds, till He that can make these storms to cease, and bring us into a safe haven, do work out our deliverance for us. I doubt not but you will, accordingly, endeavour to prepare for the worst."

It will be perceived that the design of this letter was not solely to prepare his wife and family for his death, which he knew to be near at hand, but also to sustain and solace them in the destitution and poverty, to which they would be left, should his estates, as was probable, be forfeited and diverted from them by the government, in consequence of his conviction and punishment as a traitor.

Soon after the date of this letter, which was March 7th, 1662, Sir Henry was removed from Scilly to the Tower of London. The grand jury having found a bill against him as "a false traitor &c.," he was arraigned before the Court of King's Bench on the 2d of June, 1662.

CHAPTER XVI.

Vane's Arraignment. — Trial. — Sentence.

In giving an account of the interesting and memorable trial and execution of Sir Henry Vane, it is extremely difficult, if not impossible, to do justice to the subject. Great pains were taken by the government, and with too much success, to destroy the reports and records that were made of the proceedings in the court and on the scaffold. Foreseeing that such would be the case, Sir Henry wrote down, each day before leaving the prison, the substance of the arguments he intended to use, and before going to execution he committed to writing the speech to be spoken on Tower Hill. These papers have been preserved, together with some of the circumstances that attended the scenes of his trial and death. A faithful friend, at an imminent hazard, procured the secret printing of a volume containing them. The proceedings in court, and at the execution, are also to be found in the "State Trials." By these means we are enabled to gain some idea, of course a very inadequate one, of a transaction, which created a great sensation at the time, and is particularly celebrated in the history of the period.

The prisoner was denied the benefit of counsel, while the attorney-general, the solicitor-general, and four others of the most eminent lawyers in the kingdom, were employed to conduct the prosecution. Among these, to their own everlasting dishonor, and the disgrace of the bar and the country, were Sir John Glyn, and Sir John Maynard, who in the times of the republic had been leading agents in the affairs of the Commonwealth, and were actually subject to the very charges which they labored to prove against Vane. Their conduct was considered, at the time, in the light it deserved, by many, and Butler, in his "Hudibras," has given to their baseness the perpetual infamy, which justice and honor require.

"Did not the learned Glyn and Maynard,
"To make good subjects traitors, strain hard?"

The prisoner was not permitted to see his indictment before it was read in court, or to have a copy of it afterwards, and was denied the benefit of legal advice or consultation out of court as well as in. Under all these disadvantages he was arraigned on the day already mentioned.

In order to apprehend the substance and bearing of the indictment, as fully as possible, before commencing his defence, he asked that it might be read a second time, and his request was granted. He then prayed, that, as the indictment was

recorded in that language, it might be read to him in Latin. This was necessary in order to enable him to avail himself legally of any exception or defect in its form. But this request was refused. He then moved several exceptions to the substance and general character of the indictment, the most important of which was, that, as the offences charged in it were committed in his capacity as a member of Parliament, or as acting under its commission, he could only be held to answer for them before Parliament itself, and not at the bar of any inferior or other tribunal. The judges peremptorily ruled out his exceptions, and required him to answer to the indictment "Guilty" or "Not guilty." Sir Henry then urged, at length, those reasons which led him to decline to put himself on trial by pleading to the indictment. In this stage of the proceedings he argued with great power and ability. He showed that it was impossible for him to have that equal and just trial which was his right as an Englishman. That his previous and long-protracted imprisonment, without any examination or hearing, was a violation of law. On this point he quoted largely from "Magna Charta," and confirmed his quotations by the authority of Sir Edward Coke. He showed how his estates had been seized contrary to law, and, by citations from Coke, Bracton, and others, he proved that his banishment to

Scilly without a verdict by his peers was also a violation of law. He further argued, that, contrary to all the authorities and principles of English law, which he cited, he was arraigned before judges who, in another place, had prejudged his case and recorded their votes against him. He dwelt upon the months and years that had been occupied in contriving and collecting evidence to sustain the prosecution, while he had all the time been kept a close prisoner. He stated that he was not permitted to know what would be alleged against him, or to do any thing by way of preparation for his defence; and that, by seizing his rents in the hands of his tenants, and placing his property beyond his reach, the government had involved his family in debts to the amount of more than ten thousand pounds, thereby disabling them from rendering him any assistance towards his defence. He entered upon a particular examination of the specifications brought against him, and showed that they were vague, and general, and such as did not bear against him individually, but as a member of a Parliament to which he was lawfully elected, and in which he had acted in concurrence with the nation from time to time. Toward the conclusion he used the following language.

"And now, having said all that, as a rational man, doth occur to me, and is fit to represent, in

all humility to the court, I crave leave further to add. I stand at this bar, not only as a man, and a man clothed with the privileges of the most sovereign court, but as a Christian, that hath faith and reliance in God, through whose gracious and wise appointment I am brought into these circumstances, and unto this place at this time, whose will I desire to be resigned up into, as well in what he now calls me to *suffer*, as in what he hath formerly called me to *act*, for the good of my country and the people of God in it. Upon this foundation (I bless the name of my God) I am fearless, and know the issue will be good, whatever it prove. God's strength may appear in my weakness; and the more all things carry the face of certain ruin and destruction unto all that is near and dear to me in this world, the more will divine deliverance and salvation appear, to the making good that Scripture, that he that is content to lose his life in God's cause and way, shall save it, and he that, instead thereof, goes about to save his life upon undue terms, shall lose it."

Before taking his seat Sir Henry, as we are informed by one who was present, "did much press for counsel to be allowed him, to advise with him about any further exceptions to the indictment, besides those by him exhibited, and to put all into form according to the customary pro-

ceedings and language of the law, as also to speak to them at the bar on his behalf, he not being versed in the punctilios of law writings and pleas. He further said, that the indictment, which so nearly concerned his life, being long and his memory short, it could not well be imagined that he should, upon the bare hearing it read, be able, in an instant, to find out every material exception against it, in form or matter."

The court then solemnly assured him, that if he would plead to the indictment, and put himself on the issue, he should, in that event, have counsel assigned him. After considerable urging, and with evident reluctance and distrust of the sincerity of the court and its promise, he was prevailed upon to comply, and to plead *not guilty*.

He was then remanded to prison.

Four days afterwards, on Friday the 6th of June, the trial took place. Upon Sir Henry's claiming the benefit of counsel, according to the promise of the court, the judges informed him that they would be his counsel! In this shameful manner was he deluded and deceived. Instead of aiding him in his defence, the judges never interfered in the trial except to encourage the prosecuting officers, and to interrupt and reprimand the prisoner. They were known to repair to Hampton Court, the royal residence, during the intervals of the public proceedings, and

were, throughout, the willing and zealous instruments of the government. The Chief Justice Forster was overheard to say, on the day of arraignment, when the convincing arguments of the prisoner had left the prosecuting officers without the power of answering them, "Though we know not what to say to him, we know what to do with him."

The attorney-general addressed the jury, and introduced the witnesses, on the part of the government. When he had gone through their testimony, Sir Henry was informed that he might speak for himself, but that he must say, at once, all that he had to say, as he would not again be permitted to address the court or jury.

In commencing his defence, he entered upon a legal argument, to prove, by citations from Coke and others, that the acts charged against him, as treasonable towards the King, Charles the Second, could not be so considered, inasmuch as he was not at the time *actually*, but only *de jure*, King. The court here interrupted him, and required him to disprove, if he could, the evidence just given by the government witnesses, to bring forward his own witnesses, and that afterwards it would be time enough to attend to questions of law.

The prisoner then said, that, not having been informed of the nature of the charges or of the evidence to be brought against him, he had not

been able to prepare or to procure testimony in his defence; he therefore desired process of court to summon his witnesses. The judges replied, that, if his witnesses were present, they might be called, but that they could not wait to have them sent for, as the jurymen were to be "kept without meat, drink, fire, or candle, till their verdict was delivered in."

Notwithstanding these disadvantages, and the obstructions thus cruelly thrown in his way, he proceeded to defend himself with wonderful ability, learning, and eloquence. The main points to which his arguments were directed are described in the following questions, stated and recorded by him.

"1. Whether the collective body of the Parliament can be impeached of high treason?

"2. Whether any person, acting by authority of Parliament, can (so long as he acteth by that authority) commit treason?

"3. Whether matters, acted by that authority, can be called in question in an inferior court?

"4. Whether a king *de jure*, and out of possession, can have treason committed against him?"

When he had concluded, the solicitor-general addressed the jury in the most violent and declamatory manner. Neither he, nor any one of the judges took any notice of the important principles of constitutional law upon which Sir Henry

had rested his defence. Their object was to influence the prejudices, and fears, and passions of the jury. The solicitor, accordingly, openly declared in his speech "that he *must* be made a public sacrifice," and, in allusion to the prisoner's urgent demands for the benefit of counsel, held such language as the following; "What counsel, does he think, would dare to speak for him in such a manifest case of treason, unless he could call down the heads of his fellow traitors, Bradshaw or Cook, from the top of Westminster Hall?"

When the solicitor had ended, the court sent out the jury without saying a word on the merits of the case, in order that the effect of his harangue might not be impaired, and he was even permitted to hold a secret consultation with the foreman as they were leaving the box.

After an absence of half an hour, the jury returned into court with a verdict of *Guilty*, and the prisoner was carried back to the Tower. Upon leaving the hall, and after reaching his cell, it was observed by all, that his countenance and air indicated a lightened and relieved state of mind. Although he had been in the bar for more than ten hours, without any refreshment, and engaged for a large part of the time in the most earnest and energetic efforts of argument and oratory, he seemed, at the conclusion, to be clothed

with new strength, and inspired with unusual animation of spirits. He thus explained, to those who accompanied him, this effect upon his feelings and strength, which so much surprised them.

He had all along foreseen the prosecution, which had then been consummated. He knew, that the offences to be charged upon him would be such, as would equally involve the whole nation; and that in defending himself, he might, therefore, be considered as defending the liberty and life of every Englishman, who had acted in the cause of the Commonwealth. He had been deeply impressed with a sense of the obligation that rested upon him to make a defence worthy of the importance and magnitude of the occasion; and he had formed the resolution to avail himself of every security which the constitution and laws of the country had provided to protect the subject against injustice and oppression. Actuated by these views, he had refused to plead to the indictment until he was assured that he should have the benefit of counsel. When, on the morning of that day, he found that he had been deceived and betrayed, and was without counsel to advise with him, aid him, and speak for him, and that the great cause of liberty and right was left for him alone to vindicate, he was oppressed with a sense of his incompetency to do it justice. But in looking back, at the close of the day, upon the

defence he had been enabled to make, his heart overflowed with devout gratitude and joy. He blessed the Lord, that he had been strengthened to maintain himself at the post which Providence had assigned him, that arguments had been suggested to his mind, that he had not been left to overlook any means of defence, that his lips had been clothed with more than their usual eloquence, and that, by his gracious help, he had been enabled to discharge, to his own entire satisfaction, the duty he owed to his country, and to the liberty of his countrymen. He had spoken, that day, as he told the judges, "not for his own sake only, but for theirs, and for posterity." He had done his best and his utmost for himself and for his fellow men, his conscience was discharged, his obligations to society were fulfilled, and his mind was, therefore, at peace with itself, at peace with the world, and full of satisfaction, comfort, and joy.

In reviewing the proceedings of the Court of King's Bench on this occasion, we cannot but be shocked at the perversion of the institution of a jury. That, which was intended to stand between the government and the citizen, and protect the innocent from lawless violence, had become the readiest and most destructive weapon in the bloody hands of a cruel despotism. The judges did not dare to meet the responsibility of decid-

ing the case of Vane upon principles of law, but threw the issue entirely upon the jury, well knowing, that, through their weakness, and timidity, and prejudices, they could more easily and surely procure his condemnation. Where the court are allowed in this manner to control the jury, and, at the same time, to throw the responsibility upon them, the abuse of the institution may be considered as having reached its greatest height.

But the influence of the administration, or of the judges, over a jury, is not the only perversion to which that institution is exposed. In a country, like our own, where the sovereignty is in the people, a jury, being taken from the people and acting as their representatives, are directly, naturally, and most dangerously subject to popular opinion, and the influence of the multitude. In an ignorant and barbarous community, a trial by jury, would be any thing rather than a security. It would enable governors and magistrates to shed the blood of citizens, with impunity, and in a way that would lead them to believe, and act upon the belief, that they escaped all responsibility, by thus throwing it back, through the jury, upon the people, who would be the victims, while they were flattering themselves that they were the judges.

If, in a republic like ours, the people should become ignorant of the principles of law, disre-

gardful of the securities which the laws provide, and insensible to the spirit of humanity and Christianity; a trial by jury would be far more ineffectual to protect the innocent, far more prompt to sanction and consummate oppression, violence, injustice, and bloodshed, than it was in the worst days of the worst of tyrants in the mother country.

It is necessary, at this point, to explain the very peculiar attitude and relation, which the King sustained to Sir Henry Vane and to the prosecution against him. As Sir Henry was not one of his father's judges, and was known to have been opposed to his condemnation and execution, it was supposed that the Declaration of Charles the Second at Breda, previous to his restoration, would have secured him from the vengeance of that monarch. In framing the Act of Indemnity and Oblivion, the House of Commons were, for these reasons, unwilling to except Sir Henry Vane from its benefit. But the House of Lords were desirous of having him excepted, so as to leave him at the mercy of the government, and thus restrain him from the exercise of his great talents in promoting his favorite republican principles, at any time, during the remainder of his life. At a conference between the two Houses, it was concluded that the Commons should consent to except him from the act of indemnity,

the Lords agreeing, on their part, to concur with the other House in petitioning the King, in case of the condemnation of Vane, not to carry the sentence into execution. Such a petition was, in pursuance of the arrangement, formally presented, on the part of the two Houses of Parliament, to the King; and the Lord Chancellor made report to the Houses, that he had communicated the petition to his Majesty, who had graciously granted it, and had authorized him to assure the Parliament, that, if Vane were convicted, "execution, as to his life, should be remitted."

This was of course supposed to be an ample security, and the lower House consented to gratify the Lords, by excepting Sir Henry Vane from the Act of Indemnity. But, when a new Parliament assembled, the influence of the government, strengthened and stimulated by those who wished to come in for a share of Sir Henry's great estates, prevailed to get a bill through the House, directing the attorney-general to proceed against him according to law.

The trial had been held, the jury had returned a verdict of condemnation, and it remained for the executive to act in the premises. The exigency had arrived when it became necessary, for the King either to redeem or to break his pledge. He felt that he was bound in honor, and before the world, to remit the sentence of the law; but

he was resolved, if possible, to avoid or elude or violate his promise, and seems to have become impatient for the blood of the prisoner. He accordingly, the very next day, wrote the following letter to the Chancellor.

"Hampton Court, Saturday,
Two in the afternoon.

"The relation, that has been made to me of Sir Henry Vane's carriage yesterday in the Hall, is the occasion of this letter; which, if I am rightly informed, was so insolent as to justify all he had done, acknowledging no supreme power in England but a Parliament, and many things to that purpose. You have had a true account of all, and if he has given new occasion to be hanged, certainly he is too dangerous a man to let live, if we can honestly put him out of the way. Think of this, and give me some account of it to-morrow, till when I have no more to say to you. C. R."*

Whether Charles applied to other, and, in reference to such spiritual concerns, higher authority, or whether the Chancellor, as keeper of his Majesty's conscience, was empowered to grant absolution, certain it is that the King felt himself absolved from his promise, and it was determined that "execution," as it respected the life of Vane

* London Monthly Repository, Vol. VI. p. 392. Heywood's Vindication of Fox's History. Appendix, pp. 24–26.

should *not* "be remitted." The ground upon which this violation of a solemn and public pledge was excused by the courtiers and sycophants of the day was, that the new Parliament, by calling for the trial of Vane, had rendered null and void the proceedings, in reference to the petition, of the former one. But, as that petition actually constituted a part of the Act of Indemnity, it was too obvious to be overlooked by honest and discerning men, that, from the nature of such an act, no succeeding Parliament would have a right to alter its terms, affect its substance, or counteract its design. In considering the transaction, it is impossible to dissent from the judgment of Sergeant Heywood. "No single act of Charles the Second has left so foul a stain upon his memory, as his having sought the execution of Sir Henry Vane. However valid his justification may be in the ethics of tyrants, the want of feeling, with which he makes the detestable proposal to the Chancellor, admits of no palliation."

Indeed the prosecution of Vane was, in all its parts, so base and illegal, that it cannot be, and has not been, justified by any writer, making pretentions to impartiality. It was felt even by the government itself to be discreditable. Clarendon, in the continuation of his History, passes it wholly over, with the most significant silence, and so does Bishop Parker, in the "History of his own Time."

Hallam, Fox, Burnet, as all must do, who have the least regard for the liberty of the subject and the supremacy of the laws, have openly, and strongly condemned it, as involving, not only a breach of promise on the part of the King, but a palpable violation of the principles of English freedom and justice.

On Wednesday, the 11th of June, Sir Henry Vane was brought to the bar to receive sentence of death. He seems to have approached the scene with a determination to make one more effort in favor of the cause, which was identified with his person, and to render it still more clear, that, in proceeding against him, the government was trampling upon the laws of the land. And perhaps it may be said, that, in his noble bearing and powerful exertions on this day, he surpassed all that he had done before. If the patriots of England could have chosen a champion to contend and suffer for them, they would have selected him as he appeared on this occasion. It was a most glorious display of genius, spirit, and public virtue.

After the usual formalities, he was called upon to answer, "whether he had any thing to say, why sentence of death should not be passed upon him."

The judges, without doubt, supposed that he would probably make a solemn appeal, and pro-

test, with his usual ability, against the verdict of the jury, and that when he had ended, the sentence of the law would be pronounced, and the whole affair be despatched in an hour. If such were their expectations, they were sadly disappointed. Difficult as they had found it to prevail over him in the previous stages of the trial, another hard and long day's work was before them.

Sir Henry rose, with an air which sufficiently indicated that he not only had something, but a good deal, to say, why sentence of death should not be passed upon him.

He commenced by observing that he had not yet heard the indictment read in Latin, and he claimed it as a right, according to law. This led to a sharp debate between him and the judges and lawyers, in which he finally prevailed. When the indictment had been read in Latin, he next claimed, also as his right as an Englishman, that counsel might be assigned him to make exceptions to the indictment, according to law. After much discussion this was overruled; but Sir Henry would not relinquish his claim until the court had distinctly assumed the responsibility of refusing it.

The next thing he offered was a bill of exceptions, which, in the want of counsel, he had framed himself. It had been offered on the day

of his trial, and the judges had then refused to sign it. He now presented it to the court, and, in tones of more authority than he had used before, demanded of the judges that they should sign it. He deliberately produced the statute passed in the reign of Edward the First, in which it was decreed, that, if any English subject felt himself aggrieved by the proceedings against him of any justices, he might write down his exceptions, and require the same justices to sign them. He showed that this statute had never been repealed, and he adduced passages from Sir Edward Coke to prove, that, if the justices should refuse to sign a bill of exceptions, they might be compelled by a writ to sign it, and otherwise proceeded against. This bold measure on the part of the prisoner confounded and staggered the court. The statute was explicit, the law clear, the right certain. But after much evasion and disputation, the court refused to sign or receive it; and on this point also Sir Henry would not relinquish his claim, until the judges had, one by one, assumed the responsibility of the refusal.

The bill of exceptions, prepared by Sir Henry Vane, has been preserved. It is a paper of great ability, learning, and interest, setting forth all the particulars, in which he had been unjustly used, and the law violated in his person. In the course of it, he mentions one circumstance which

I will repeat. He says that Monk, the degraded and profligate traitor, who by sacrificing the cause, and the friends, of English liberty had become a favorite at court, as the Duke of Albemarle, had taken great pains to procure his conviction, having resorted to threats and bribes, but without effect, to induce a certain Captain Linn to bear false testimony against him.

Some writers have endeavored to represent Monk in a favorable light. But it is all in vain. He deserves, and the interests of freedom and truth require that he should receive, the scorn and reprobation of posterity. His malicious and profligate conduct towards Vane is in conformity with other incidents of his life. Charles James Fox, in the Introductory Chapter to his "History of the Early part of the Reign of James the Second," thus speaks of Monk.

"He not only acquiesced in the insults, so meanly put upon the illustrious corpse of Blake, under whose auspices and command he had performed the most creditable services of his life, but, in the trial of Argyle, produced letters of friendship and confidence, to take away the life of a nobleman, the zeal and cordiality of whose coöperation with him, proved by such documents, was the chief ground of his execution; thus gratuitously surpassing in infamy those miserable wretches, who, to save their own lives, are sometimes per-

suaded to impeach and swear away the lives of their accomplices."

The next step of Sir Henry Vane was to request the reading of the petition of the Parliament in favor of his life, and the King's promise, in reply, not to take it away. After much dispute he prevailed on this point, and the proceedings in reference to the petition were read in open court. This made known to the spectators, and to the nation, the King's position in reference to his prosecution.

Sir Henry then reminded the court, who had begun to show manifest signs of impatience under his close and searching and effectual management of his cause, that there were certain questions of law, which must be settled before sentence could be passed upon him. He wished to argue them, by counsel, if permitted, if not, in person, before their Lordships. He proceeded to instance them.

I. Whether a Parliament were accountable to any inferior court?

II. Whether the King, being out of possession" —

The court suddenly broke in upon him at this point, and, with considerable vehemence, declared that "the King was never out of possession." Sir Henry instantly replied, but with great coolness, and with an evident assurance that their Lordships had committed themselves, that if *the*

King was never out of possession, the indictment against him must inevitably fall to the ground; for the charge it alleged was, "that he endeavored to *keep out* his Majesty."

By this time the judges were highly wrought up; and Sir Henry, after again demanding to be heard, in assigning his reasons for an arrest of judgment, and after having exhausted the various provisions of the English law in favor of the security of the subject, desisted from all further attempts. As he folded up his papers, he appealed, from that tribunal, to the righteous judgment of God, who, he reminded his judges, would judge them as well as him; and he concluded by expressing his willingness to die upon the testimony he had borne.

As he uttered these last words, Sergeant Keeling, who had manifested great passion during the trial, exclaimed, "So you may, Sir, in good time, by the grace of God." This gentleman had been very abusive to the prisoner on several occasions, and Sir Henry had sometimes treated him, in return, as he thought he deserved. Once, for instance, while Sir Henry was reading a passage from a volume of the statutes, Keeling, wishing to look at the book, attempted rather rudely to snatch it from his hands. Sir Henry withheld the volume, remarking with a dignified severity, "When I employ you, as my counsel, Sir, I will find you books."

The sentence of death was finally passed upon him. He was condemned to be hanged, quartered, &c.; but owing to some cause, probably the influence of his great connexions, the mode of death was commuted to beheading on Tower Hill.

The following passage will give the reader some idea of Sir Henry Vane's mode of defending himself on this interesting and remarkable occasion. After alluding to the civil wars, and his agency in them, he says;

"This general and public case of the kingdoms is so well known by the declarations and actions that have passed on both sides, that I need but name it; since this matter was not done in a corner, but frequently contended for in the high places of the field, and written, even with characters of blood. And out of the bowels of these public differences and disputes doth my particular case arise, for which I am called in question. And, admitting it come to my lot to stand single, in the witness I am to give to this glorious cause, and to be left alone (as in a sort I am), yet being upheld with the authority before asserted, and keeping myself in union and conjunction therewith, I am not afraid to bear my witness to it, in this great presence, nor to seal it with my blood, if called thereunto. And I am so far satisfied in my conscience and understanding, that it neither

is nor can be treason, either against the law of nature, or the law of the land, either *malum per se*, or *malum prohibitum*, that, on the contrary, it is the duty I owed to God, the universal King, and to his Majesty that now is, and to the Church and people of God in these nations, and to the innocent blood of all who have been slain in this quarrel. Nothing, it seems, will now serve, unless by the condemnation passed upon my person, they be rendered to posterity murderers and rebels, and that upon record in a court of justice in Westminister Hall!

"And this would inevitably have followed, if I had voluntarily given up this cause, without asserting their and my innocency, by which I should have pulled that blood upon my own head, which now, I am sure, must lie at the door of others, and, in particular, of those that knowingly and precipitately shall embrue their hands in my innocent blood, under whatever form or pretext of justice.

"My Lords, if I have been free and plain with you in this matter, I beg your pardon. For it concerns me to be so, and something more than ordinarily urgent, where both my estate and life are in such an imminent peril; nay, more than my life, the concerns of thousands of lives are in it, not only of those that are in their graves already, but of all posterity in time to come.

"No, my Lords, I have otherwise learned Christ, than to fear them that can but kill the body, and have no more that they can do. I have also taken notice, in the little reading that I have had of history, how glorious the very heathens have rendered their names to posterity, in the contempt they have showed of death (when the laying down of their life has appeared to be their duty), from the love which they have owed to their country."

CHAPTER XVII.

Vane's "Exhortation to his Children." — His Parting with his Family and Friends. — Prayer before Leaving the Prison. — Prayer and Speech on the Scaffold. — Execution.

He was allowed from Wednesday, when the sentence was pronounced, until Saturday, to prepare for death. After returning to prison, he composed a discourse of considerable length, in the usual manner of the divines of that period, the object of which was to instruct and confirm his children and family in the principles of virtue and piety. The text was from Genesis xviii. 17, 18, 19,*

This discourse has been preserved under the following title; "Some Notes of Sir Henry Vane's Exhortation to his Children and Family,

* "And the Lord said, Shall I hide from Abraham that thing which I do; seeing that Abraham shall surely become a great and mighty nation, and all the nations of the earth shall be blessed in him? For I know him, that he will command his children and his household after him, and they shall keep the way of the Lord, to do justice and judgment; that the Lord may bring upon Abraham that which he hath spoken of him."

(brokenly and imperfectly taken), June 13th, 1662, being the day before his execution." He thus addresses his children.

"Live then in the spirit, and walk in the spirit and faith, of our father Abraham. Listen to the experiences of your father, in this dying hour and season of darkness, who can and doth here give a good report of that heavenly and better country, he is now going to the more free and full enjoyment of. In the midst of these, his dark circumstances, his enjoyments and refreshings from the presence of the Lord do more abound than ever. I can truly say, that, as my tribulations for Christ have risen higher and abounded, my consolations have abounded much more. My imprisonment and hard usage from men have driven me nearer to God, and more alienated and disentangled my mind from the snares and cumbrances of this mortal life.

"You have no cause to be ashamed of my chain, or to fear being brought into the like circumstances I now am in, so it be on as good an occasion, for the name and cause of Christ, and for his righteousness' sake. Let this word abide with you, whatever befalls you. *Resolve to suffer any thing from men, rather than sin against God*; yea, rejoice and be exceeding glad, when you find it given to you, on the behalf of Christ, not only to believe in him, but to suffer for his name."

"Amidst the great variety of churches and ways of worship, that this world abounds with, be not by any means induced or forced to observe and become subject to the ordinances of man, in things pertaining unto God. Give unto God the things that are God's; give also unto Cæsar the things that are his. *If he unlawfully require more, you may lawfully refuse to obey him.* Let him take his course. Wherein any deal proudly, God will be above them. If one church say, Lo, here is Christ; and another, Lo, there; and the trumpet that 's blown in both give but an uncertain sound, look up to Christ himself, with the spouse in the Canticles, and say, *O thou whom our souls do love, tell us where thou feedest, and makest thy flock to rest at noon,* under the scorching heat of man's persecuting wrath."

"This your father hath found joy and comfort in, upon very large and plentiful experiences; but most remarkably, in his prison state. As troubles and straits from without have increased upon me, I have been more enlarged within. The more I have been shut up on earth, and from earthly relations and enjoyments, the more have the heavens opened upon me, and let down to me the large sights and tastes of the glory and enjoyments of the world to come."

"God seems now to take all our concerns wholly into his own hands. You will be deprived of my bodily presence, but Abraham's blessing shall come upon you. The Lord revive, and cause to grow up and flourish, whatever is of that faith of Abraham in you, that is in your father; and grant it may more and more appear in my family, after I am gone hence, and no more seen in my mortal body."

On Friday, the day before his death, the friends of Sir Henry Vane were permitted to visit him. He received them with entire serenity and cheerfulness, and they were surprised and delighted with the sentiments he uttered. One of them, in giving an account of the interview, says, "He let fall many gracious expressions, to the very great refreshing and strengthening of the hearts of the hearers." He told them, that, for the two preceding years, "he had made death familiar to him; that being shut up from the world he had been shut up with God; and that he had not the least recoil in his heart, as to matter or manner of what had been done by him." A friend remarked to him, "Sir, the Lord hath said, Be thou faithful unto death, and I will give thee a crown of life; the Lord enable you to be faithful." Sir Henry replied, "I bless the Lord, I have not had any discomposure of spirit these two years; but I do wait upon the Lord, till he

be pleased to put an end to these days of mine, knowing that I shall change for the better; for in heaven there is an innumerable company of angels, the spirits of just men made perfect, and Jesus, the blessed mediator of the new covenant. There, are holy and just laws, a pure government, blessed and good company, every one doing their duty; here we want all these. Why therefore should we be unwilling to leave this estate and go to that?"

Another friend said to him, "I have delivered you up unto God as a sacrifice, though I have day and night prayed that this cup might pass from you." Sir Henry replied, "I bless God, that I have offered up myself to him, and I rejoice that others have given me up also. And why," said he, turning to the company, "why should we be frighted with death? I bless the Lord, I am so far from being affrighted with death, that I find it rather shrink from me, than I from it."

When his children visited him, the struggle was deep and painful indeed, but the divine energy of his Christain faith enabled him to triumph over the temptation which assailed his fortitude through the dearest affections and ties of nature. When about to part with them, he said, "I bless God, by the eye of faith I can see through all my relations to Mount Sion, and there I shall need none

of them." Then kissing them, he exclaimed, "The Lord bless you, he will be a better father to you; I must now forget that ever I knew you. I can willingly leave this place and outward enjoyments, for those I shall meet with hereafter in a better country. I have made it my business to acquaint myself with the society of heaven. Be not you troubled, for I am going home to my father."

When his family had gone, he addressed the remaining company in the following strain. "If by my being offered up, the faith of many be confirmed, and others convinced and brought to the knowledge of the truth, how can I desire greater honor and rejoicing? As for that glorious cause, which God hath owned in these nations, and will own, and in which so many righteous souls have lost their lives, and so many have been engaged by my countenance and encouragement, shall I now give it up, and so declare them all rebels and murderers? No, I will never do it; that precious blood shall never lie at my door. As a testimony and seal to the justness of that quarrel, I leave now my life upon it, as a legacy to all the honest interest in these three nations. Ten thousand deaths, rather than defile my conscience, the chastity and purity of which I value beyond all this world. I would not, for ten thousand lives, part with this peace and satisfaction I

have in my own heart (both in holding to the purity of my principles, and to the righteousness of this good cause), and the assurance I have that God is now fulfilling all these great and precious promises, in order to what he is bringing forth. Although I see it not, yet I die in the faith and assured expectation of it. Through the power and goodness of God, I have had, in this trial of mine, such a proof of the integrity of my own heart, as hath been no small joy to me."

When some of his friends gave way to the expression of their grief, he begged them to desist, and said that their sorrows and tears "were but so many lets and hindrances to him, in the view he had of that glory he was going to possess, that heavenly city and commonwealth, where he should behold the face of God and of his son, in a society of angels, and the spirits of just men made perfect."

The idea was suggested, that, by making submission to the King, perhaps his life might be saved. He rejected the idea at once, saying, "If the King does not think himself more concerned for his honor and word, than I am for my life, let him take it. Nay, I declare that I value my life less in a good cause, than the King can do his promise. He is so sufficiently obliged to spare my life, that it is fitter for him to do it, than for me to seek it."

At the hour of midnight previous to the day of his execution, the sheriff's chaplain came to his cell with the warrant for his execution. He related the circumstance to his friends in the morning, and said, "There was no dismalness at all in it. After the receipt of the message, I slept four hours so soundly, that the Lord hath made it sufficient for me, and now I am going to sleep my last, after which I shall need sleep no more."

Early in the forenoon his wife, children, and friends were assembled in the prison; and, as they gathered around him, he offered up a prayer, of which the following is the substance.

"Most holy and gracious Father, look down from the habitation of thy holiness; visit, relieve, and comfort us, thy poor servants, here gathered together in the name of Christ. Thou art rending this veil, and bringing us to a mountain that abides firm. Thou hast promised, that thou wilt be a mouth to thy people in the hour of trial; for thou hast required us to forbear the preparatory agitations of our own minds, because it is not we that are to speak, but the spirit of our heavenly Father, that speaketh in us, in such seasons. In what seasons more, Lord, than when thou callest for the testimony of thy servants to be writ in characters of blood? Show thyself in a poor weak worm, by enabling him to stand against all the power of thy enemies.

"There hath been a battle fought with garments rolled in blood, in which (upon solemn appeals on both sides) thou didst own thy servants; though, through the spirit of hypocrisy and apostasy, that hath sprung up amongst us, these nations have been thought unworthy any longer to enjoy the fruits of that deliverance. Thou hast therefore another day of decision yet to come. Such a battle is to begin, and be carried on by the faith of thy people. Yea, is in some sort begun by the faith of thy poor servant, that is now going to seal thy cause with his blood. O that this decision of thine may remarkably show itself in thy servant at this time, by his bold testimony and sealing it with his blood. We know not what interruptions may attend thy servant; but, Lord, let thy power carry him in a holy triumph over all difficulties.

"Thy poor servant knows not how he shall be carried forth by thee this day; but, blessed be thy great name, that he hath whereof to speak in this great cause. When I shall be gathered to thee this day, then come thou in the ministry of thy holy angels that excel in strength.

"We have seen enough of this world, and thou seest, we have enough of it. Let these my friends, that are round about me, commit me to the Lord, and let them be gathered into the family of Abraham, the father of the faithful, and

become faithful witnesses of those principles and truths that have been discovered to them, that it may be known that a poor weak prophet hath been amongst them, not by the words of his mouth only, but by the voice of his blood and death, which will speak when he is gone. Good Lord, put words into his mouth that may daunt his enemies, so that they may be forced to say, 'God is in him of a truth, and the Son of God is in his heart, and in his mouth.'

"My hour-glass is now turned up, the sand runs out apace, and it is my happiness that death doth not surprise me. It is grace and love thou dost show thy poor servant, that thou hastenest out his time, and lettest him see that it runs out with joy and peace.

"But let thy servant see death shrink under him. What a glorious sight will this be, in the presence of many witnesses, to have death shrink under him, which he acknowledgeth to be only by the power of the resurrection of Jesus Christ, whom the bands of death could not hold down. Lord, strengthen the faith and heart of thy poor servant, that he may undergo this day's work with joy and gladness, and bear it in the heart and consciences of his friends that have known and seen him, that they also may say, 'The Lord is in him, of a truth.'

"O that thy servant could speak any blessing to these three nations. Let thy remnant be gathered to thee. Prosper and relieve that poor handful, that are in prisons and bonds, that they may be raised up, and trample death under foot. Let my poor family that is left desolate, let my dear wife and children, be taken into thy care; be thou a husband, father, and master to them. Let the spirits of those that love me, be drawn out towards them. Let a blessing be upon these friends that are here at this time. Show thyself a loving father to us all, and do for us abundantly, above and beyond all that we can ask or think, for Jesus Christ his sake. Amen."

When the prayer was brought to a close, while the fortitude it imparted was fresh in his spirit, he took his last farewell of his dear family. As they left his presence, he was heard to say, "There is some flesh remaining yet; but I must cast it behind me, and press forward to my Father."

The following account of his removal from the prison to the scaffold seems to have been written by an eyewitness.*

"One of the sheriff's men came and told him, there must be a sled; to which Sir Henry replied, 'Any way, how they please, for I long to

* It may be found in the "State Trials."

be at home, to be dissolved and to be with Christ, which is best of all.' He went very cheerfully and readily down the stairs from his chamber, and seated himself on the sled, (friends and servants standing about him;) then he was forthwith drawn away towards the scaffold. As he went, some in the Tower, prisoners as well as others, spake to him, praying the Lord to go with him. And after he was out of the Tower, from the tops of houses and out of windows the people used such means and gestures as might best discover at a distance their respect and love towards him, crying aloud, 'The Lord go with you, the great God of heaven and earth appear in you and for you;' whereof he took what notice he was capable of in those circumstances, in a cheerful manner accepting their respect, putting off his hat and bowing to them. Being asked several times, how he did, by some about him, he answered, 'Never better in all my life.' Another replied, 'How should he do ill, that suffers for so glorious a cause?' To which a tall man in black said, 'Many have suffered for a better cause;' 'And many for a worse,' said Sir Henry; 'and when they come to seal their *better cause* (as you call it) with their blood, as I am now going to seal mine, may they not find themselves deceived; and as to this cause,' continued he, 'it hath given life in death, to all the owners of it, and sufferers for it.'

"Being passed within the rails on Tower Hill, there were many loud exclamations of the people, crying out, 'The Lord Jesus go with your dear soul,' &c. One told him, that was the most glorious seat he ever sate on; he answered, 'It is so indeed,' and he rejoiced exceedingly.

"Being come to the scaffold, he cheerfully ascends, and being up, after the crowd on the scaffold was broken in two pieces, to make way for him, he showed himself to the people on the front of the scaffold, with that noble and Christian-like deportment, that he rather seemed a looker-on, than the person concerned in the execution. Insomuch that it was difficult to persuade many of the people, that he was the prisoner. But when they knew that the gentleman in the black suit and cloak, with a scarlet silk waistcoat (the victorious color), showing itself at the breast, was the prisoner, they admired that noble and great presence he appeared with. 'How cheerful he is!' said some; 'He does not look like a dying man,' said others; with many like speeches, as astonished with that strange appearance he shined forth in.

"Then, (silence being commanded by the sheriff,) lifting up his hands and eyes towards heaven, and then resting his hands upon the rails, and taking a very serious, composed, and majestic view of the great multitude about him, he spake as followeth.

"'Gentlemen,

Fellow Countrymen and Christians,

"'When Mr. Sheriff came to me this morning, and told me he had received a command from the King, that I should say nothing reflecting upon his Majesty or the Government, I answered, that I should confine and order my speech, as near as I could, so as to be least offensive, saving my faithfulness to the trust reposed in me, which I must ever discharge with a good conscience unto death; for I ever valued a man, according to his faithfulness to the trust reposed in him, even on his Majesty's behalf, in the late controversy. And if you dare trust my discretion, Mr. Sheriff, I shall do nothing but which becomes a good Christian and an Englishman; and so I hope I shall be civilly dealt with.

"'When Mr. Sheriff's chaplain came to me last night about twelve of the clock, to bring me, as he called it, the fatal message of death, it pleased the Lord to bring that scripture to my mind, in the third of Zachary, to intimate to me, that he was now taking away my filthy garments, causing mine iniquities to pass from me, with intention to give me change of raiment, and that my mortal should put on immortality.

"'I suppose you may wonder when I shall tell you, that I am not brought hither according to any known law of the land. It is true, I have been before a court of justice, (and am now going to

appear before a greater tribunal, where I am to give an account of all my actions.) Under their sentence I stand here at this time. When I was before them, I could not have the liberty and privilege of an Englishman, the grounds, reasons, and causes of the actings I was charged with, duly considered. I therefore desired the judges, that they would set their seals to my bill of exceptions. I pressed hard for it again and again, as the right of myself and every freeborn Englishman, by the law of the land; but was finally denied it.'"

At this point, Sir John Robinson, Lieutenant of the Tower, whose duty did not call him to the scaffold, and who attended the execution, undoubtedly for no other purpose than to prevent any dangerous impression being made by the prisoner, interrupted him, saying, in a most furious manner, which gave great dissatisfaction even to the loyalists who were present, "Sir, you must not go on thus, you must not rail at the judges; it is a lie, and I am here to testify that it is a lie."

Sir Henry replied, "God will judge between you and me in this matter I speak but matter of fact, and cannot you bear that? 'T is evident, the judges have refused to sign my bill of exceptions —" The trumpeters were then ordered to approach nearer to the prisoner and blow in his face, to prevent his being heard, at which Sir

Henry, lifting up his hand, and then laying it on his breast, said, "What mean you, gentlemen? Is this your usage of me? Did you use all the rest so? I had even done (as to that), could you have been patient; but, seeing you cannot bear it, I shall only say this, that, whereas the judges have refused to seal that with their hands, that they have done, I am come to seal that, with my blood, that I have done."

Sir Henry then proceeded briefly to relate the history of his life. After alluding to his birth and education, he referred, particularly, to his early youth, when "he was inclined to the vanities of this world," a course which was thought "the only means of accomplishing a gentleman." He then spoke of his conversion to a life of virtue and piety in the following beautiful and admirable manner.

"When my conscience was thus awakened, I found my former course to be disloyalty to God, profaneness, and a way of sin and death, which I did with tears and bitterness bewail, as I had cause to do. Since that foundation of repentance laid in me, through grace I have been kept steadfast, desiring to walk in all good conscience towards God, and towards men, according to the best light and understanding God gave me. For this, I was willing to turn my back upon my estate, expose myself to hazards in foreign parts;

yea, nothing seemed difficult to me, so I might preserve faith and a good conscience, which I prefer before all things; and do earnestly persuade all people, rather to suffer the highest contradictions from men, than disobey God by contradicting the light of their own conscience. In this it is I stand with so much comfort and boldness before you all, this day, and upon this occasion; being assured that I shall at last sit down in glory with Christ, at his right hand.

"I stand here this day, to resign up my spirit into the hands of that God that gave it me. Death is but a little word, but 't is a great work to die. It is to be but once done, and after this cometh the judgment, even the judgment of the great God, which it concerns us all to prepare for. And by this act, I do receive a discharge, once for all, out of prison, even the prison of the mortal body also, which to a true Christian is a burdensome weight.

"In all respects, wherein I have been concerned and engaged as to the public, my design hath been to accomplish good things for these nations."

Then, lifting up his eyes and spreading aloft his hands, he made this solemn declaration, "I do here appeal to the great God of heaven, and all this assembly, or any other persons, to show wherein I have defiled my hands with any man's

blood or estate, or that I have sought myself in any public capacity or place I have been in."

As might have been expected, and as the government had most seriously apprehended, a great impression had by this time been made by the prisoner upon the vast multitude that surrounded him. The people remembered his career of inflexible virtue and patriotism. They had been roused to indignation by the treatment he had received at the hands of Cromwell, and of the restored monarch. His trial had revived the memory of his services and sufferings. The fame of his glorious defence had rung far and wide through the city and nation. The enthusiasm with which he had been welcomed by weeping and admiring thousands as he passed from prison to Tower Hill; the sight of that noble countenance; the serene, and calm, and almost divine composure of his deportment; his visible triumph over the fear of death and the malice of his enemies, all these influences, brought at once to bear upon their minds, and concentrated and heightened by the powers of an eloquence that was the wonder of his contemporaries, had produced an effect, which, it was evident, could not, with safety to the government, be permitted to be wrought any higher.

When Sir Henry, therefore, had commenced another sentence after the appeal quoted above,

the trumpets were again sounded. The sheriff attempted to catch a paper from his hands. Sir John Robinson, seeing some persons taking minutes of the speech, ordered their reports to be destroyed. Six note-books were delivered up to the officers. In this scene of confusion, Sir Henry preserved his usual firmness, patience, and dignity of manner, merely remarking, that it was hard he might not be suffered to speak; "but," said he, "my usage from man is no harder than was my Lord and Master's; and all that will live his life, in these times, must expect hard dealing from the worldly spirit." The trumpets were again blown, and Sir John Robinson, with two or three others, rushed upon the prisoner and endeavored to seize his papers. He, however, kept them off from his person, and after a while, tearing the papers himself, handed the remnants to one of his friends, from whom they were forcibly taken. The officers then attempted to thrust their hands into the prisoner's pockets, and a scene of disorder and brutal violence occurred upon the scaffold, which filled the multitude of all parties with horror and indignation. Such was the bearing of Sir Henry, however, that all were loud in their admiration of it; and in the midst of the tumult a zealous loyalist was heard to exclaim, in terms which to him were expressive of the highest possible commendation, "He dies like a prince."

Finding that it was determined that he should not be heard, and unwilling to have the few moments of life that remained broken in upon by such disagreeable incidents, he desisted from all further attempts to address the people, merely remarking, "It is a bad cause which cannot bear the words of a dying man."

When order and silence had been restored, he commenced his more immediate preparation for the stroke of death, by offering a prayer, of which the following passages are extracts.

"The heaven is thy throne, O Lord, and the earth is thy footstool, but to this man wilt thou look, even to him that is poor, and of a contrite spirit, and trembleth at thy word."

"Bring us, O Lord, into the true mystical Sabbath-state, that we may cease from our own works, rest from our labors, not think our own thoughts, find our own desire, or walk in the way of our own hearts, but become a meet habitation of thy spirit by the everlasting covenant, the place of thy rest. Let the spirit of God and of glory, that is greater than he that is in the world, rest upon us, work in and by us mightily, to the pulling down of flesh and blood, the strong-holds of sin and Satan in ourselves and others, causing us to suffer under the fire-baptism thereof, as that we may cease from sin for ever or from that fleshly, mutable, and temporary state of life and

righteousness, which at best is liable to roll back into sin again, to be entangled, overcome, and finally triumphed over by the pollutions of this world."

"Thine eyes, O Lord, run to and fro through the whole earth. Thou art the supreme disposer of all the kingdoms of men, giving them to whomsoever thou wilt. Whatever cross-blows thou sufferest to be given thy people for a season, thou orderest all to thine own glory, and their true advantage. But thou hast a set time for Sion's deliverance. Let the exceeding near approach of this, bear up the spirits of thy poor despised ones, in this day of extremity and suffering, from sinking and despondency. Carry them through their suffering part, with a holy triumph, in thy chariots of salvation. How long, O Lord, holy and true? Make haste to help the remnant of thy people. Break the heavens and come down, touch the mountains of prey, the kingdoms of this evil world, and let them smoke."

"But, Lord, be this dispensation of what continuance it will, for the serving of thy most gracious and wise designs, let the spirit and resolution of thy servant be steady and unchangeable, that whether they live, they may live to the Lord, that died for them; or whether they die, they may die to the Lord, who lives for ever to make intercession for them, that they may glorify

thee with their bodies and spirits, whether by life or by death."

"Thou knowest, O Lord, that in the faith of Jesus, and for the truth as it is in Jesus, thy servant desires to die. In this faith, dear Lord, I have lived, and in this faith and profession I die. Now set thy seal to it, and remove the reproaches and calumnies with which thy servant is reproached, for thou knowest his innocency. Dear Father, thou sentest us unto this world; but this world is not our home, we are strangers and pilgrims in it, as all our fathers were. We have no abode here, but there is a house, not made with hands, eternal in the heavens, that, when this tabernacle is dissolved, we may enter into.

"Thou seest and knowest all things, and art able to witness to the truth and integrity of thy servant. When his blood is shed upon the block, let it have a voice afterward, that may speak his innocency, and strengthen the faith of thy servants in the truth.

"The desire of our soul is to hasten to thee, O God, to be dissolved, that we may be with Christ. Blessed be thy name, that this great strait that we were before in, is now determined; that there is no longer abode for me in this mortal body. Let thy servant speak something in behalf of the nation, wherein he hath lived. Lord, did we not exceed other nations in our

day? Great things have been done by thee in the midst of us. O that thou wouldst look down in pity and compassion, and pardon the sins of this whole nation, and lay them not to their charge; show them what is thy good and acceptable will, and bring them into subjection thereunto. We humbly pray thee, O Lord, look down with compassion upon this great and populous city; cleanse away the impurity, sinfulness, and defilements thereof; cause their souls to delight in thy word, that they may live. Let a spirit of reformation and purity spring up in and among them with power; make them willing to lay down all that is dear to them for thee, that thou mayest give them a crown of life. We are assured that thou knowest our suffering case and condition. We desire to give no just occasion of offence, nor to provoke any, but in meekness to forgive our enemies. Thy servant, that is now falling asleep, doth heartily desire of thee, that thou wouldst forgive them, and not lay this sin to their charge."

The writer of an article on "Vane and Bunyan," in the Westminster Review, in treating of the character and genius of Sir Henry, defies Clarendon, Hume, or any other of his detractors "to produce a human composition, in the nature of prayer, ancient or modern, that for sublimity, truth, simplicity, or pathos can surpass" those,

from which extracts have now been made, offered by the sufferer in his prison and on the scaffold.

At the conclusion of the prayer, and when his garments had been adjusted to receive the stroke, he looked up, and said, "I bless the Lord, who hath accounted me worthy to suffer for his name. Blessed be the Lord, that I have kept a conscience void of offence to this day. I bless the Lord, that I have not deserted the righteous cause, for which I suffer."

As he bowed his head to the block, he uttered these words, "Father, glorify thy servant in the sight of man, that he may glorify thee in the discharge of his duty to thee and to his country." In an instant, and at a single blow, the executioner discharged his office.

Thus fell Sir Henry Vane. In his death the first age of English liberty reached its termination. It commenced, and it closed, in blood. Lord Strafford was the earliest victim of the incensed spirit of liberty as it entered upon the triumphant possession of the government; and Vane was the last great sacrifice offered up to the vengeance of restored despotism. They perished on the same scaffold.

CHAPTER XVIII.

Effect of Vane's Death. — His Estates and Honors restored to his Family. — Duke of Cleveland. — Concluding Reflections.

It is impossible for us to conceive of the moral effect produced, not merely upon the spectators, but upon the nation at large, by the manner of Sir Henry Vane's death. It almost shook the King from his throne. Burnet says, "that it was generally thought the government had lost more than it gained by his death." Pepys, who was a loyalist, conversant with the higher circles of society, and a courtier, witnessed the execution, and describes it with evident marks of admiration of the sufferer. He says that the people regarded it as a "miracle," and that it was a most impressive and effectual spectacle. He says further, that it was remarked, "that the King lost more by that man's death than he will get again for a good while;" and he himself expresses the opinion, that it gave the Bishops a blow from which they would never recover.

The republicans felt that new life was imparted to their cause, and looked upon Vane as a champion and martyr, who had filled the whole measure

of his and their glory. In his character, example, and principles, their own honor was safely reposited, and signally vindicated. Ludlow thus speaks of his deportment. "He behaved himself on these occasions, in such a manner, that he left it doubtful, whether his eloquence, soundness of judgment, and presence of mind, his gravity and magnanimity, his constant adherence to the cause of his country, and heroic carriage during the time of his confinement, and at the hour of death; or the malice of his enemies and their frivolous suggestions at his trial; the breach of the public faith in the usage he found; the incivility of the bench, and the savage rudeness of the sheriff, were more remarkable." The same writer thus speaks particularly of his trial. "Sir Henry Vane was long in his defence, but not tedious. He much perplexed both court and council, and has acquired eternal reputation by nobly pleading for the dying liberties of his country."

The following letter, written by "a person of quality, to a near relation of Sir Henry Vane, about a week after the execution," will show, in an interesting manner, the impression made by his death.

"Madam,

"If I do, later than others, give you an account of the share I have in the loss of your generous

kinsman, it is because I would not rudely disturb the emotions of so just a sorrow; but I hope, that you are assured I have so real a concern in all that relates to you, that it was not necessary, by an early haste, to send you an information of it. I have, Madam, whilst I own a love to my country, a deep interest in the public loss, which so many worthy persons lament.

"The world is robbed of an unparalleled example of virtue and piety. His great abilities made his enemies persuade themselves, that all the revolutions in the last age were wrought by his influence, as if the world were only moved by his engine. In him they lodged all the dying hopes of his party. There was no opportunity, that he did not improve for the advantage of his country. And when he was in his last and much deplored scene, he strove to make the people in love with that freedom, they had so lavishly and foolishly thrown away.

"He was great in all his actions; but to me he seemed greatest in his sufferings, when his enemies seemed to fear, that he alone should acquaint them with a change of fortune. In his lowest condition, you have seen him the terror of a great Prince strengthened by many potent confederates and armies. You have seen

him live in high estimation and honor, and certainly he died with it.

"Men arrive at honors by several ways. The martyrs, though they wanted the glittering crowns the Princes of those ages dispensed, have rich ones in every just man's esteem. Virtue, though unfortunate, shines in spite of all its enemies; nor is it in any power, to deface those lasting monuments your friend hath raised of his, in every heart, that either knew him, or held any intelligence with fame.

"But, Madam, I trespass too long upon your patience. This is a subject I am apt to dwell on, because I can never say enough of it. I shall now only desire you to make use of that fortitude and virtue, that raised your friend above the malice and power of his enemies; and do not, by an immoderate sorrow, destroy that which was so very dear to him, yourself; but live, the lively representative of his virtues, the exercise of which hath made you always the admiration of

Your humble servant, &c."

The very curious letter, which I here subjoin to the preceding, will give an idea of the effect produced upon the enthusiastic portion of the nation by the death of Vane. It was written from the interior of the country to one who accompanied him to the scaffold.

"My loving and worthy Friend,

"Didst thou stand forth by my worthy friend, and bear him company? Did thy soul suffer with him and rejoice with him, riding in his chariot of triumph, to the block, to the axe, to the crown, to the banner, to the bed and ivory throne of the Lord God, thy Redeemer? Didst thou stand by to see all these put upon him in the day of his espousals, in his solemn nuptials? Was he not, my friend, most richly trimmed, adorned, decked with all manner of fine linen, curious embroideries? Did not the perfume of his garments give a good smell to all the room and company? Was he not like the Lord's, the Lamb's bride, made altogether ready? Was not his head richly crowned, and his neck like the tower of David? Didst thou see the chain about his neck, of one pearl, dazzling the beholders? Were not his eyes like the pure dove's, fixed above upon his mate, single and clear? Was not his breastplate strong like steel? Did the arrows, the sharp trials and cruel mockeries, pierce it? Did not his shield cover him like the targets of Solomon? Was it not beaten gold? When it was tried, did it yield to the tempter? O precious faith! Tell me, my friend, how did he wield his glittering, flaming sword? Did not it behave itself valiantly, conquering, and turning every way, to

preserve the way of truth, liberty, righteousness, and the cause of the Lord and his people? Was not his whole armour very rich? Was it not all from the sanctuary, for beauty and strength?

"O mighty man of valor! Thou champion for the Lord and his host, when they were defied! How hast thou spoiled them! The Goliath is trodden under foot. The whole army of the Philistines fly.

"Is he fled? Is he gone from amongst men? Was not this earth, this kingdom, worthy of him? Wast thou upon the Mount of Olives with him, to see how he was lifted up, glorified, advanced? Didst thou see him ascend, and chariots and heavenly hosts, the glorious train, accompanying him to his chamber, to the palace of the great King, whither he is gone, we gazing below after him? But will he not come again? Will not the Lord, his bridegroom, bring him, when He shall come to reign and his saints with him? Make ready then, my friend; gird up thy loins; ride gloriously, for the day is a great day of battle. And he that overcometh, shall sit down with Abraham, Isaac, Jacob, the Prophets, the Apostles, and our late friend Vane, in the kingdom of heaven, whither I shall ever long to be prepared to set forward with the first, and to meet thee, friend, ascending into the heavenly place."

If the glowing, rapturous, and highly excited feelings, expressed in this extraordinary letter, were generally awakened, throughout that numerous and powerful, although defeated and oppressed, body of men of whose spirit it is characteristic, by the death of Vane, we may readily conceive, that the dangers, which surrounded the unstable throne of the Stuarts, were not diminished by that event.*

But the most decisive evidence, that the government were alarmed at the manifestations of sympathy for his sufferings, and admiration of his virtues, which everywhere appeared immediately after his execution, is found in the fact, that they felt it necessary to quiet and pacify the public mind. The estates and honors of Sir Henry Vane were all restored to his family. And it

* The story of Sir Henry Vane's deportment on Tower Hill was circulated, under the infinite and innumerable forms of popular rumor and fame, throughout the nation. The following is one of the stories that was told in reference to it, and it is worthy of mention, as illustrating the truth, that there is no end to the diversity and variety of tastes and pursuits among men. In proof of the wonderful composure and cheerful serenity of the sufferer, it was related that "an ancient traveller," who made it his business to frequent public executions, and observe the demeanor of the victims, "did narrowly eye Sir Henry's countenance to the last breath," and pronounced his judgment, formed from long observation,

cannot fail to gratify the reader to learn that a remarkable degree of prosperity has ever since followed them.

The son and heir of Sir Henry, and who bore his name, was sworn into the Privy Council, in 1688. The present lineal descendant, William Harry Vane, is one of the most eminent, patriotic, and wealthy noblemen in England. In 1827 he was created (his previous title having been Earl of Darlington) Marquis of Cleveland. While the blood of his renowned ancestor flows in his veins, the same spirit animates his breast. When the Reform Bill came to the decisive vote in the House of Lords, on the 4th of June, 1832, he proved that he was not insensible to the obligations imposed upon him by the great name he bears. No man deserves more credit for his vote on that occasion than the Marquis of Cleveland.

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that there was a perfect willingness on the part of the mind to meet the issue, — that there was no fear, or reluctancy, or shrinking back whatever. This old gentleman, whose genius had such a strange propensity, was always in the habit of examining the head *immediately* after it was severed from the body. He was nigh at hand to make his observations, on this occasion; "and whereas, the heads of all he had before seen, did some way or other move after severing, which argued some reluctancy and unwillingness to that parting blow, the head of this sufferer lay perfectly still, immediately upon the separation."

He had an immense personal interest to defeat the bill. It appears, from Oldfield's Representative History, that, in 1816, he owned seven seats in Parliament for boroughs to be disfranchised by the bill. For two of these seats, he had himself, many years before, paid thirty-two thousand pounds sterling. A seat in Parliament was worth a thousand pounds per annum. Whether he had become possessed of any more of this kind of property previous to 1832 is not known. It is certain, however, that the Reform Bill brought with it to the Marquis of Cleveland a clear loss of an annual income of at least seven thousand pounds sterling. But, to his immortal honor, he recorded his name with the majority, who had the glory of consummating a measure, which Sir Henry Vane was the first to propose to a British Parliament.

The Marquis had before conferred an invaluable service upon his country by bringing into its counsels the present Lord Brougham, of whom he was the patron.

On the 14th of the next January, (1833,) an order was issued by the King from Whitehall, directing letters patent to be passed under the Great Seal, granting the dignities of Baron and Duke of the United Kingdom, "unto *William Harry*, Marquis of Cleveland, by the names, styles, and titles of BARON RABY OF RABY CASTLE, and DUKE of Cleveland."

What a change in the times! Devotion to the cause of liberty was punished in 1662 on the scaffold. In 1832 it is rewarded by a dukedom! While the name of Vane graces the highest seat, in the most venerable legislative body in the world, may it ever continue to be consecrated to freedom and reform! *

When we consider the effect produced by the death of Vane upon the public mind at the time, and reflect, that, as his history and character become more known and appreciated, that effect will be revived and increased to an indefinite extent, so long as the human heart continues to be susceptible of ennobling emotions from the contemplation of moral sublimity, we shall then be able to estimate the importance of that event. English history presents no scene to be compared with it in moral value.

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* It seems, by late accounts from England, that the Duke of Cleveland continues to adhere to liberal principles with the most scrupulous fidelity. On the recent accession to power of a tory ministry, under Mr. Peel and the Duke of Wellington, the *blue riband*, worn by the late Earl Spencer, was offered to him, but declined; from an unwillingness, no doubt, to have his influence in any degree compromised.

The reader, who recalls to mind the circumstances connected with the title, which Lord Strafford so insolently appropriated, will be struck with the fact that the same title is at length secured to its rightful possessor, in the owner and occupant of "Raby Castle."

It is related of a martyr, who suffered in a previous age, that, as he approached the stake, he predicted, that, in the flames that were about to consume him, "a candle would be lighted in England, which, by God's grace, should never be put out." In like manner Sir Henry Vane had determined, if his enemies proceeded to take away his life, that, in the manner of his death, he would put forth a moral power, which should be felt far and wide and through all coming times. This purpose he expressed as far back as his imprisonment in Scilly, and it continued to invigorate his spirit to the last.

It was indeed a glorious and wonderful resolve. None but a truly great and magnanimous genius could have conceived it. It was founded upon a thorough knowledge of the secret depths of our moral nature; and it could only be carried into execution by a power, which could reach the inmost recesses of the human mind. It has been shown, that Sir Henry Vane did most triumphantly wield this influence over the hearts of all, who witnessed or heard of the manner of his death. From his prison and his scaffold, he put forth a power, which shook the throne to its foundations, and brought the hierarchy to the ground, and which will continue to work effectually in favor of virtue, liberty, and truth, so long as his name is known among men.

It was this noble and lofty determination to meet his death in such a manner, as to produce a great moral effect upon his countrymen, which gave to his dying deportment such a peculiarly impressive, glorious, and almost superhuman dignity and lustre; and, viewed in connexion with its completely successful accomplishment, renders it one of the most instructive as well as interesting events in history. He rejoiced in death, for he saw and felt that he was not dying in vain. Never perhaps were the words of the classic poet so literally fulfilled,

"*Dulce* et *decorum* est pro patria mori."

The reflections, which a survey of the life and character of Sir Henry Vane is suited to suggest, are such as, without any promptings, will rise in every thoughtful mind. After alluding to one of two of them, I shall leave his actions and his writings to speak for themselves.

The rebellion, as the political revolution, which resulted in the usurpation of Cromwell, is called by the English writers, is generally spoken of as a wild and fanatical movement, not only beneath the notice of the statesman, but unworthy of the sympathy of the friends of liberty. And the leading political writers and orators of this country, imitating the example of the patriots in England, are accustomed to refer to the revolution, as it is more kindly and respectfully denominated, of 1688,

rather than to that of 1640, as the point where the glory of English history is most condensed.

But a careful explorer of those respective periods will find it very difficult to justify this strange preference. The expulsion of James the Second from his throne and kingdom was indeed a signal triumph. It was, however, in a great degree, a triumph of one religious sect over another. And it is also certain, that from the time of this famous revolution of 1688 up to a very recent period, the influence of the King and his ministers over the other branches of the government, has been steadily increasing in England. The unreasonable horror, with which, by artful and long-continued appliances to the public mind, the condemnation and execution of Charles the First have been associated, and the ridicule systematically cast upon the Puritans, have coöperated in disheartening and breaking the spirit of the English people in reference to their political rights and duties. By the same influences the absurd and ridiculous sentiment of loyalty, or reverence for the royal person as such, has been diffused throughout the nation. Within a few years, however, these unnatural associations and delusive ideas have been much broken in upon, and there is a favorable prospect that the attention of the people is once more resolutely fixed upon the work of reform.

Whoever wishes to draw the true and genuine inspiration of liberty from the history of England, must go back to 1640. When the Long Parliament assembled, the era of modern freedom began. "That Parliament," says Hallam, "effected more for our liberties, than any that had gone before or that has followed." The patriots who led in its deliberations and proceedings first brought the PEOPLE into power in England.

Writers and speakers, in the mother country, do not venture to explore this period of their history. They dread the reproach of republicanism. But in America such a reproach, of course, has no terrors. And we can offer no excuse, if we do not full justice to the history and character of the Puritans of the Commonwealth, although they are still doomed to neglect and aspersion in a country, whose liberty they are acknowledged to have rescued from destruction, whose name they covered with glory, and before whose power they made all Europe tremble. If the historians of the mother country continue to allow this most remarkable and wonderful period of the annals of Britain to be neglected, either from prejudice or fear, or an ignorance of the interest and importance of the scenes it embraces, it will become our duty to explore the field it opens, and bring forth, for the admiration, instruction, and warning of mankind, the men and the events, by which it

was signalized. In one sense, the history of the English Commonwealth may be said to be a part of our own history. It is our sacred and our filial duty to rescue it from unjust reproach, and from still more unjust oblivion.

It has been attempted, and with too much success, to turn men's minds away from the contemplation of this period of English history, by representing it as marked with proceedings of barbarous cruelty and injustice, particularly in reference to the fate of Laud and Strafford. Far be it from me to justify, in any case, the deliberate taking away of human life. No prayer ascends to Heaven with more fervor from my heart, than that the time may soon arrive when civilized and Christian communities will no longer imbrue their hands in the blood of their fellow-men, for political, or for any other purposes whatever.

But I hesitate not to say, that, if ever a people were authorized to proceed to extremities against the promoters of arbitrary power, the English people were thus authorized in the cases of Strafford and Laud.

It is not necessary for me, either as the biographer of Vane, or as the apologist of the Long Parliament, to vindicate the proceedings of the High Court of Justice in reference to the King. But I confess, that I cannot possibly imagine what men mean, in this age of the world, when they

represent the condemnation of Charles Stuart, as, in itself, a more shocking transaction than the condemnation of any other public or private criminal.

Charles James Fox expressed the sentiment, that the trial and execution of that tyrannical prince, whether justifiable or not, in point of fact raised the English nation in the estimation of the world as much as any event in its history. This is undoubtedly true. It is also true, that it did as much for the general cause of good government and the liberties of the people, as any event in the history of modern Europe. It taught the shuddering monarchs of the rest of the world, what they had scarcely dreamed of before, that there was a power beneath them, which, if once roused by oppression, would in a moment sweep them and their thrones away; and it impressed upon them, by the most awful lesson, the great and salutary truth, that the real and only lasting security of their governments and lives consisted, not in their armies, or their treasures, or the extent of their dominions, but in the love and confidence of their people.

It was indeed a memorable period. There were giants in those days. In the senate, Vane, Hampden, Pym, Algernon Sydney, Bradshaw, and a host of others; among the people, Peters, Fox, Bunyan, and Biddle; in the field, Crom-

well, Ireton, Fairfax, and Ludlow. The single name of Blake, if none others had since been added, would of itself have sufficed to shed imperishable lustre on the naval annals of Great Britain. And in the midst of this unparalleled constellation of genius, there shone a bright central star, in the radiance of whose beams all other stars grow dim, John Milton.

Never was the intellectual principle more powerfully brought into action, throughout a whole people. It gave to them that moral energy, which rendered them irresistible on field and flood; and, in the forms of political and theological discussions and movements, it reached every nook and corner of the kingdom, brought out the whole force of the nation, and pervaded all ranks from the lowest to the highest.

The intense excitement of the times operated especially upon the clergy, and in no age of the Christian church have its preachers been so clothed with power over their hearers. I admit, that, measured by our modern standard, they were long and tedious in their discourses. I also admit, that most of them were, to a high degree, destitute of refinement of taste and elegance of composition. But their productions literally exhaust the subjects they treat, and exhibit a gigantic energy of thought, and a wild copiousness of illustration, which sufficiently indicate with what con-

centrated force the stimulating spirit of the times bore upon their minds.

It is not probable that such elaborate sermons would have been written, it is not possible that such long ones would have been listened to, had not a thirst for knowledge and a passion for discussion, of which we can hardly conceive, been universally diffused.

Some writers have ridiculed the frequent and long-protracted religious services to which the Puritans were addicted. The members of Parliament and high officers of the army were accustomed, almost every week during the civil wars, to assemble and remain for hours upon hours, both forenoon and afternoon, listening to discourses upon days of public fasting and thanksgiving, preached by the most eminent ministers of the age, selected for the purpose. While I cannot but look with respect and admiration upon such scenes as were exhibited on these occasions, I do not deny, that it would indeed seem strange to see the practice imitated by our modern legislators and military and naval commanders. It is much to be feared that a quorum would not often be found among the auditors, even if such men as Baxter, Calamy, Ames, Peters, Owen, and Lightfoot were the preachers!

But the fashion of deriding and calumniating the Puritans must sooner or later pass away; and

when it shall have passed, then the period, during which they were in the ascendency, will command the wonder and the pride of every Englishman, and of every man of English descent.

When, however, we consider the state of things during the Commonwealth, the diffusion of the spirit and love of liberty throughout the body of the people, the genius, virtues, learning, and practical talents of the great men of the day, and the height of prosperity and renown to which they carried their country, and then reflect, that, in a very few years, the whole scene was utterly changed; the nation given over to licentiousness in morals, and to a total indifference to political rights and blessings; virtue, and even talent, driven from the public councils; the name of liberty a reproach; religion laughed to scorn; the court a scene of the most profligate corruption and shameless debauchery; and the monarch, — whose father had been dragged from the throne to the scaffold because he was suspected to be unfriendly to the liberties of his people, — not only tolerated but applauded by the same people, when it was more than suspected, that he was in the annual receipt of a bribe from the sovereign of a foreign and rival nation, given and continued upon the express condition, that he should exert his whole in-

fluence to subvert their privileges, their constitution, and their religion itself; — when we witness this sudden, disastrous, and disgraceful change, a lesson is taught, which it becomes us to remember, and lay to heart. It is this. There is no security for the liberties of any people, if they themselves are not constantly on the watch. If a spirit of intelligent vigilance, and jealous inspection of their rulers, is not, everywhere, kept alive, the freest nation on earth will, with almost instantaneous rapidity, pass under a complete and degrading despotism.

There is but one more reflection with which I shall detain the reader. It has been seen, that Sir Henry Vane always connected the cause of liberty with the cause of the Gospel. They were identified in his mind. And the inference has generally been drawn from a hasty perusal of his writings, that he wished to resolve the institutions of civil society into the forms of religion, and to substitute church government in the place of all other social restraints and securities.* Nothing could be more incorrect and unjust, than to impute such notions to Sir Henry Vane. He

* Trusting to writers, who are usually regarded as safe authorities, the author of this memoir, in a previous publication, was led to call Vane "a religious fanatic." See "Second Century Lecture of the First Church," Salem, 1829.

was, through his whole life, opposed to the establishment of any religious sects whatever by law. He uniformly advocated the principles of toleration, viewed in their most comprehensive and liberal aspect. And he alienated the several sects and denominations of his day by the comparatively low estimate he put upon all outward forms and ordinances whatever.* His opinion, justly interpreted, was this, — that liberty could not exist securely in any nation, where the heart and lives of the people were not in subjection to the Gospel of Jesus Christ. If it be fanatical to hold this opinion, Sir Henry Vane was indeed a fanatic.

Time will test its truth and importance. Some signal experiments have already been made. And while I speak for myself, I will venture, at the same time, to speak for my readers, that it is true, that civil liberty can only be preserved by the prevalence of those virtues which the

* Sikes, in his "Life of Vane," informs us that Sir Henry did not entertain the views, commonly received respecting *water baptism*, but thought it was a temporary institution, and that having "served its season," it had "gone off the stage." Sikes also asserts, that he believed that the Jewish sabbath was abolished by the coming of Christ; and that that, "which is observed in the room thereof," was "rather a magistratical institution among Christians, in imitation of the Jewish, than that which hath any clear appointment in the Gospel."

Gospel inculcates. The spirit of Christianity is, after all, the only real and genuine spirit of liberty, that has ever visited the earth. Where the spirit of the Gospel is, there, and there only, is liberty. When Christianity shall have acquired its full dominion over the hearts and lives of men, then will the hope, in which the champions and martyrs of liberty have toiled and suffered, be fulfilled. In this hope Sir Henry Vane lived and died. When he went forth from prison to execution, foreseeing the interruptions which occurred on the scaffold, he recorded, as his "last words" to his fellow men, the prediction, which will now be quoted, as an appropriate conclusion of his biography.

The reader will perceive in it an instance of his use of language, in speaking of all temporal and political blessings combined under the name of the "kingdom of Christ." And although the expressions seem to indicate the expectation of a more speedy consummation, than has actually occurred, or is likely to occur, it must be borne in mind, that to him who looks into futurity the *sure* is apt to be regarded as the *near*. Even the superior light of inspiration did not prevent the illusion, when prophets and apostles gazed in spiritual vision upon coming centuries. They were wont to speak of the far distant, not only as nigh at hand, but as actually present.

These are the words in which Sir Henry Vane embodied the glorious hope which had cheered his life of labor and suffering, and in the assurance of which he was going to a triumphant death.

"As the present storm we now lie under, and the dark clouds that yet hang over the Reformed Churches of Christ, which are coming thicker and thicker for a season, were not unforeseen by me for many years past (as some writings of mine declare); so the coming of Christ in these clouds, in order to a speedy and sudden revival of his cause, and spreading his kingdom over the face of the whole earth, is most clear to the eye of my faith, even that faith in which I die, whereby the kingdoms of this world shall become the kingdom of our Lord and of his Christ. Amen. Even so, come, Lord Jesus."

APPENDIX.

No. I.

SIR HENRY VANE HIS SPEECH IN THE HOUSE OF COMMONS, AT A COMMITTEE FOR THE BILL AGAINST EPISCOPALL-GOVERNMENT, MR. HIDE SITTING IN THE CHAIRE. JUNE 11, 1641. LONDON, PRINTED FOR FRANCIS CONSTABLE. 1641.

MASTER HIDE,

The debate we are now upon is, whether the Government by Archbishops, Bishops, Chancellors, &c. should be taken away out of the Church and Kingdome of England; for the right stating whereof, we must remember the vote which passed yesterday, not only by this Committee, but the House, which was to this effect; that this Government hath been found by long experience, to be a great impediment to the perfect reformation and growth of Religion, and very prejudiciall to the civill State.

So that then the Question will lie thus before us, Whether a Government, which long experience hath set so ill a Character upon, importing danger, not only to our Religion, but to the civill State, should be any longer continued amongst us, or be utterly abolished?

For my owne part, I am of the opinion of those, who conceive that the strength of reason already set downe, in the Preamble of this Bill, by yesterday's vote, is a necessary decision of this Question. For one of the

maine ends for which Church-government is set up, is to advance and further the perfect reformation and growth of Religion; which wee have already voted, this Government doth contradict; so that it is destructive to the very end for which it should be, and is most necessary and desirable; in which respect certainly we have cause enough to lay it aside, not onely as uselesse, in that it attaines not its end, but as dangerous, in that it destroyes and contradicts it.

In the second place, we have voted it prejudiciall to the civill State, as having so powerfull and ill an influence upon our Laws, the Prerogative of the King, and liberties of the Subject, that it is like a spreading leprosie, which leaves nothing untainted and uninfected which it comes neere.

May we not therefore well say of this Government, as our Saviour in the fifth of Matthew speaks of salt (give me leave on this occasion to make use of Scripture, as well as others have done in this debate), where it is said that salt is good; but if the salt hath lost its savour, wherewith will you season it? It is thenceforth good for nothing, but to be cast out and trodden under foot of men; so Church-government, in the generall, is good, and that which is necessary, and which we all desire; but when any particular forme of it hath once lost its savour, by being destructive to its owne ends, for which it is set up, (as by our vote already passed we say this hath) then surely, Sir, we have no more to doe but to cast it out, and endeavour, the best we can, to provide ourselves a better.

But to this it hath beene said, that the Government now in question, may be so amended and reformed, that it needs not be pulled quite downe or abolished; because it is conceived, it has no originall sinne, or evill in it; or if it have, it is said, regeneration will take that away.

Unto which I answer, I doe consent that we should do with this Government, as we are done by in Regeneration, in which all old things are to passe away, and all things are to become new, and this we must doe, if we desire a perfect reformation, and growth of our Religion, or good to our civill state. For the whole Fabrick of this building is so rotten and corrupt, from the very foundation of it to the top, that if we pull it not down now, it will fall about the eares of all those that endeavour it, within a very few yeares.

The universall rottennesse, or corruption of this government, will most evidently appeare by a disquisition into these ensuing particulars.

First, let us consider in what soile this root growes. Is it not in the Pope's Paradise? Doe not one and the same principles and grounds maintaine the Papacie, or universall Bishop, as doe our Diocesan or Metropolitan Bishops? All those authorities which have beene brought us out of the Fathers and antiquity, will they not as well, if not better, support the Popedom as the order of our Bishops? So likewise all these arguments for its agreeablenesse to Monarchy, and cure of Schisme, doe they not much more strongly hold for the acknowledgement of the Pope, than for our Bishops? and yet have Monarchies beene ever a whit the more absolute for the Pope's universall Monarchy? or their Kingdomes lesse subject to schismes and seditions? Whatsoever other kingdoms have beene, I am sure our Histories can tell us, this Kingdome hath not: and therefore we have cast him off long since, as hee is forraine, though we have not beene without one in our owne bowels. For the difference between a Metropolitan, or Diocesan, or universall Bishop, is not of kinds, but of degrees; and a Metropolitan or a Diocesan Bishop is as ill able to perform the duty of a Pastor to his Diocesse or Province,

as the Universall Bishop is able to doe it to the whole world. For the one cannot doe but by Deputies, and no more can the other; and therefore since we all confesse the grounds upon which the Papacy stands are rotten, how can we deny but these that maintain our Bishops are so too, since they are one and the same?

In the second place, let us consider by what hand this root of Episcopacy was planted, and how it came into the Church.

It is no difficult matter to finde this out; for is not the very spirit of this order a spirit of pride, exalting itselfe in the Temple of God, over all that is called God? First, exalting itselfe above its fellow Presbiters, under the forme of a Bishop; then over its fellow Bishops, under the title of Archbishops, and so still mounting over those of its own profession, till it come to be Pope, and then it sticks not to tread on the necks of Princes, Kings, and Emperors, and trample them under its feet. Also thus you may trace it from its first rise, and discerne by what spirit this order came into the Church, and by what doore, even by the back-doore of pride and ambition, not by Jesus Christ. It is not a plant which God's right hand hath planted, but is full of rottennesse and corruption; that mystery of iniquity, which hath wrought thus long, and so is fit to be plucked up, and removed out of the way.

Thirdly, let us consider the very nature and quality of this tree or root itselfe, whether it be good or corrupt in its owne nature; we all know where it is said, a good tree cannot bring forth corrupt fruit, nor a corrupt tree good fruit; doe men gather grapes of thornes, or figs of thistles? By its fruit therefore we shall be sure to know it; and according as the fruits of the Government have beene amongst us, either in Church, or Commonwealth, so let it stand, or fall with us.

In the Church. As itselfe came in by the back-doore into the Church, and was brought in by the spirit of Antichrist, so itselfe hath been the back-doore and inlet of all superstition and corruption into the worship and doctrine of this Church, and the meanes of hastening us back again to Rome. For proofe of this, I appeale to all our knowledges in late yeares past, the memory whereof is so fresh, I need enter into no particulars.

A second fruit of this Government in the Church, hath been the displacing of the most godly and conscientious Ministers; the vexing, punishing, and banishing out of the Kingdome, the most religious of all sorts and conditions, that would not comply with their superstitious inventions and ceremonies; in one word, the turning the edge and power of their Government, against the very life and power of Godlinesse; and the favour and protection of it unto all prophane, scandalous, and superstitious persons, that would uphold their party. Thousands of examples might be given of this, if it were not most notorious.

A third fruit hath beene schisme and fractions within ourselves, and alienation from all the reformed Churches abroad.

And lastly, the prodigious monster of the late Canons, whereby they had designed the whole Nation to a perpetuall slavery and bondage to themselves, and their superstitious Inventions. These are the fruits of the Government in the Church.

Now let us consider these in the Civil State; as,

1. The countenancing all illegall Projects and proceedings, by teaching in their pulpits the lawfullnesse of an arbitrary Power.

2. The overthrowing all processe at Common Law, that reflected never so little, upon their Courts.

3. The kindling a warre betweene these two Nations,

and blowing up the flame, as much as in them lay, by their Counsels, Canons, and Subsidies granted to that end.

4. The plots, practices, and combinations during this Parliament, in all of which they seeme to have beene interested more or lesse.

Thus have they not contented themselves with encroachments upon our spirituall priviledges, but have envied us our civill freedome, desiring to make us grind in their mill, as the Philistines did Sampson, and to put out both our eyes. O let us be avenged of these Philistines for our two eyes!

If then the tree bee to be knowne by its fruits, I hope you see by this time plainly the nature and quality of this tree.

In the last place, give mee leave for a close of all to present to your consideration the mischiefes, which the continuance of this Government doth threaten us with, if by the wisdome of this Committee they be not prevented.

1. The danger our Religion must ever be in, so long as it is in the hands of such Governours, as can stand firmly in nothing more than its ruine; and whose affinity with the Popish Hierarchie makes them more confident of the Papists, than of the professors of the reformed Religion, for their safety and subsistence.

Secondly, the unhappy condition our civill State is in, whilst the Bishops have vote in the Lords house, being there as so many obstructions, in our body Politike, to all good and wholesome Lawes tending to salvation.

Thirdly, the improbability of settling any firme or durable peace, so long as the cause of the war yet continues, and the bellowes that blow up this flame.

Lastly, and that which I will assure you goes nearest to my heart, is the check which we seem to give to

Divine Providence, if we doe not at this time pull downe this Government.

For hath not this Parliament been called, continued, preserved, and secured, by the immediate finger of God, as it were for this work? Had we not else been swallowed up in many inevitable dangers, by the practises and designes of these men and their party? Hath not God left them to themselves, as well in these things, as in the evill administration of their Government, that he might lay them open unto us, and lead us, as it were, by the hand, from the finding them to be the causes of our evill, to discerne that their rooting up must be our onely cure? Let us not then halt any longer between two opinions, but with one heart and resolution give glory to God, in complying with his providence, and with the good safety and peace of this Church and State, which is by passing this bill we are now upon.

No. II.

The following list comprises all the publications, of which Sir Henry Vane is understood to have been the author.

I. "A brief Answer to a certain Declaration, made of the Intent and Equity of the Order of Court," &c., 1637. Hutchinson's Collection, p. 71.

II. "Speech in the House of Commons" on Episcopacy, 11th of June, 1641.

III. "Speech at Guildhall" concerning the treaty with the King, 8th of November, 1642.

IV. "Speech at Common Hall," London, in reference to the Union of the Scots and English, 27th of October, 1643.

V. "Several Speeches in Common Hall," on the plot to destroy the Parliament, &c., January, 1643.

VI. "Two Speeches in the Guildhall" on the treaty of Uxbridge, 4th of March, and 9th of April, 1644.

VII. "Retired Man's Meditations," &c., 1655.

VIII. "A letter from a true and lawful Member of Parliament," &c., October 31st, 1655.

IX. "A Healing Question," &c., 1656.

X. "The Proceedings of the Protector," &c., 1656.

XI. "A Needful Corrective or Balance in Popular Government."

XII. "On the Love of God, and Union with God."

XIII. "An Epistle General," &c., 1662.

XIV. "The Face of the Times," &c., 1662.

XV. "A Letter to his Lady," 1662.

XVI. "Memorandums pleadable on his Arraignment."

XVII. "Matters containing the Substance of what he pleaded," &c.

XVIII. "Reasons for an Arrest of Judgment."

XIX. "The People's Case stated."

XX. "The Valley of Jehoshaphat," &c.

XXI. "Meditations concerning Man's Life, penned in his Prison-state."

XXII. "Concerning Government, Friendship, Enemies."

XXIII. "Meditations on Death."

XXIV. "Notes of Exhortation to his Children and Family."

XXV. "His Speech and Prayer on the Scaffold."

Of these writings, from XVI. to XXIII. inclusive, together with XXV. are contained in one small quarto

volume, entitled "The Trial of Sir Henry Vane, Kt." XXIV. is printed in "The Life of Sir Henry Vane, Kt." by Sikes. XIII. XIV. and XV. are printed in one volume. The rest appeared separately.

The writer of the foregoing memoir has not been able to obtain any one of the works marked III. IV. V. VI. VIII. X. XI. XII.

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